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NATIONAL REVIEW

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JULY 19, 1993 VOL. XLV, NO. 14

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LETTERS

The Adoption War

While we appreciate the kind words about our television campaign, "Life, What a Beautiful Choice," I would like to correct one major error in Marvin Olasky's article, "The War on Adoption" [June 7]: BBDO did *not* produce our ads. We have never been a client of BBDO. If Mr. Olasky had contacted us we would have provided him with our statement which clearly says that our spots "have been created and produced by an ad-hoc team specifically assembled for this project."

Mrs. Arthur S. DeMoss
St. Davids, Pa.

Marvin Olasky includes an incomplete quote which appeared in the *Philadelphia Inquirer* well over a year ago. Unfortunately, neither NATIONAL REVIEW nor the *Inquirer* included the entirety of my statement. My anger with the DeMoss Foundation was accurately reported, but my statement went on to indicate that this private and difficult decision should be made after non-judgmental counseling, not after viewing a slick television ad.

Mr. Olasky also implies that I understand "that adoption is a threat to the abortion way of life." The decision about an unplanned pregnancy should occur in a give-and-take counseling environment, where adoption, abortion, and keeping the baby are all discussed. Abortions should be safe, legal, and rare.

Debra Levy McKenney
Pittsburgh, Pa.

I must take issue with Marvin Olasky's statement about Mary Pride attacking would-be adoptive parents. It is misleading to represent this as her entire position on adoption. In other books, she encourages Christians to think of adoption as a ministry, a special calling. I do not know Mrs. Pride personally, but I believe she is pro-adoption when it is for the right reason. What she is against is the prevalent attitude that children are property, to be acquired (adoption) or disposed of (abortion) according to the desire of the parent(s).

Lisa Schuttger
Granbury, Tex.

I was glad to read your article on adoption. I must, however, correct Marvin Olasky's statement about Bill Gothard being against adoption. He does not state that Christians shouldn't adopt, but that they should be aware that "the sins of the fathers are passed to the third and fourth generations," and he teaches adoptive parents how to handle these problems if they come up. He also teaches that the grandparents should be in agreement to the adoption before it takes place. He does not condemn adoption, but encourages those who adopt with Biblical teaching on raising their children "in the nurture and admonition of the Lord."

Melinda Nichols
Birmingham, Ala.

Mrs. DeMoss is correct: BBDO's chairman was involved in the ad process as a private citizen, but BBDO itself had no official involvement. I apologize for my error. I stand by the other statements regarding Debra McKenney, Mary Pride, and Bill Gothard. Mrs. Pride and Mr. Gothard have done excellent work in several areas, but Mrs. Pride's statement that some parents should not adopt because of previous sexual sins, and Mr. Gothard's emphasis on sins of adopted children's birthparents, seem to me wrongly centered, compared to a child-centered approach to adoption. —MO

Who Will Judge the Judges?

I have been a criminal lawyer for 16 years. For most of that time I have served as a public prosecutor. As a re-

sult, I have gained considerable experience with judges and juries.

Because of this background, I was taken aback by Christie Davies's proposal that judges and juries swap responsibilities ["Trial by Judges," May 24]. At first he seemed to presume that his Platonic "experienced professional legal assessors"—I took this to mean judges—would somehow be less irresponsible than ordinary laymen in reaching a verdict. However, the professor acknowledged that judges can be "quirky . . . erratic, and . . . bizarre" when imposing sentences. I wondered then how he deduced that judges—fatuous at sentencing—would become so sagacious at trial. They would not. Result orientation by ideologically motivated judges would mean "bizarre" verdicts. Such judges would not have to postpone their intemperance to sentencing hearings—they simply would acquit the criminal.

It occurred to me then that Professor Davies's article must be a tongue-in-cheek piece designed to remind us that as seriously flawed as the criminal-justice system is, it could be worse.

David H. Bruneau
Port Angeles, Wash.

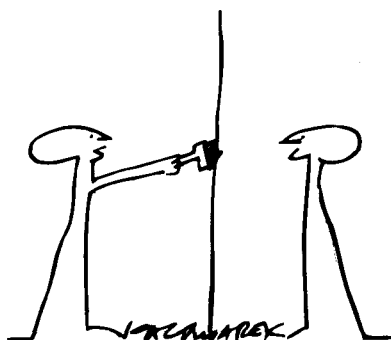
With a single judge as fact finder, an individual quirk, bias, or unpleasant childhood experience could furnish the basis for a finding of guilt or innocence. Untrained jurors have similarly been influenced by their lives' experiences, but the number of jurors on the panel dilutes the effect that any individual bias has on the ultimate findings.

A judge as fact finder would be subject to political pressure. Elected judges would be faced with the prospect of having their conviction rates compared with those of other judges. Appointed judges subject to recall would work under the same pressure.

In my experience defending personal-injury claims before some fifty juries, I have been surprised by the verdict in exactly three cases. I have not had the same experience with lawyers as arbitrators of personal-injury cases. Too often a professional fact finder, in attempting to render a Solomon-like decision, will end up dividing the baby.

Juror sentencing would result in widely divergent sentences for the very same offenses. It wouldn't be long before various federal agencies would be conducting surveys as to the sentencing pattern of juries attempting to detect any kind of systematic bias against protected interest groups.

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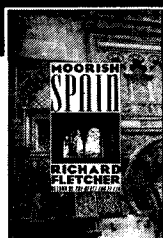
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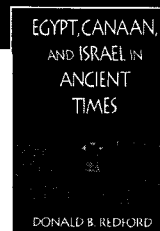
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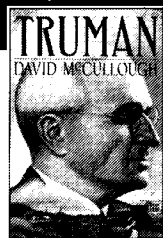
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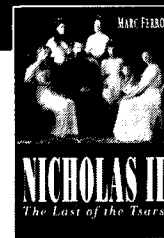
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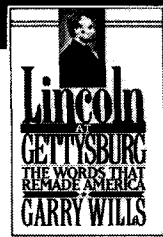
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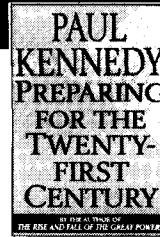
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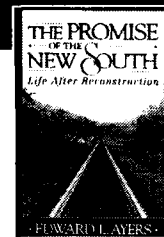
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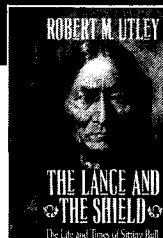
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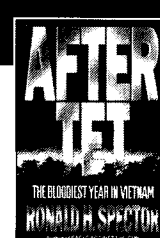
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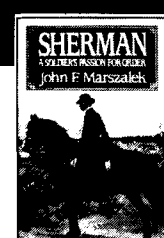
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jury system because it works well only 95 per cent of the time is beyond me. The greater folly would be to substitute the opinion of one judge acting as fact finder for the considered opinion of 12 people who except in the most political cases (e.g., the Rodney King trial) represent the conscience of the community and are immune from the politics of the system.

Robert R. Beltz
Phoenix, Ariz.

It is generally accepted that judges and assessors should make decisions on questions of fact in civil cases and on administrative tribunals (which can impose heavy financial penalties). Why, then, should they not do so in criminal trials? The main reason is the democratic view that only a group of one's peers, i.e., the

jury, can decide on an issue involving possible imprisonment or even execution, but under my reforms this would still be decided by a "sentencing jury."

Anyway, much of the time judges do decide verdicts. In many American trials plea-bargaining mixes up verdict and sentence so judges bargain about both at once to avoid a long and expensive jury trial. In Britain all but the most serious offenses can be tried by three lay magistrates sitting with a court clerk or by a single professional "stipendiary magistrate." In both countries only a minority of criminal cases go to a jury. If this were not the case, the system would collapse.

Professional assessors of fact in criminal cases would be superior to jurors provided they were properly trained, had to give written reasons for their verdicts,

and were insulated from political pressure. If juries decide sentences, there is no need to elect judges. —CD

Mao-Maoing Cambodia

Regarding Martin Arostegui's article entitled "Night of the Living Dead" [June 7], I wish to add some observations which may prove interesting.

In its desire to achieve some kind of lasting peace in Cambodia, the UN acquiesced to two key concessions to the Khmer Rouge. First, it agreed to a downgrading of the ratio of factional troops to be disarmed from 100 per cent to 70 per cent. This still allows a number of factional troops to carry on fighting. Secondly, perhaps a more serious concession can be found within the Cambodian peace agreement itself.

Annex 5, paragraph 2 of the "Agreement on a Comprehensive Political Settlement of the Cambodian Conflict" (1991) stipulates that the new national constitution prohibits "the retroactive application of criminal law." Thus, Pol Pot and his henchmen need not fear retribution for crimes against humanity. This phrase therefore affronts the Cambodian people as well as contributing to the conflict instead of the solution.

The recent actions of the Khmer Rouge imply that they have gone back to the books, so to speak, and are closely adhering to Mao Tse-tung's fundamentals of guerrilla warfare. In a 1961 USMC translation of Mao's *Guerrilla Warfare*, there are seven fundamentals: 1) Arouse and organize the people. 2) Achieve internal unification politically. 3) Establish bases. 4) Equip one's forces. 5) Recover national strength. 6) Destroy the enemy's national strength. 7) Regain lost territory.

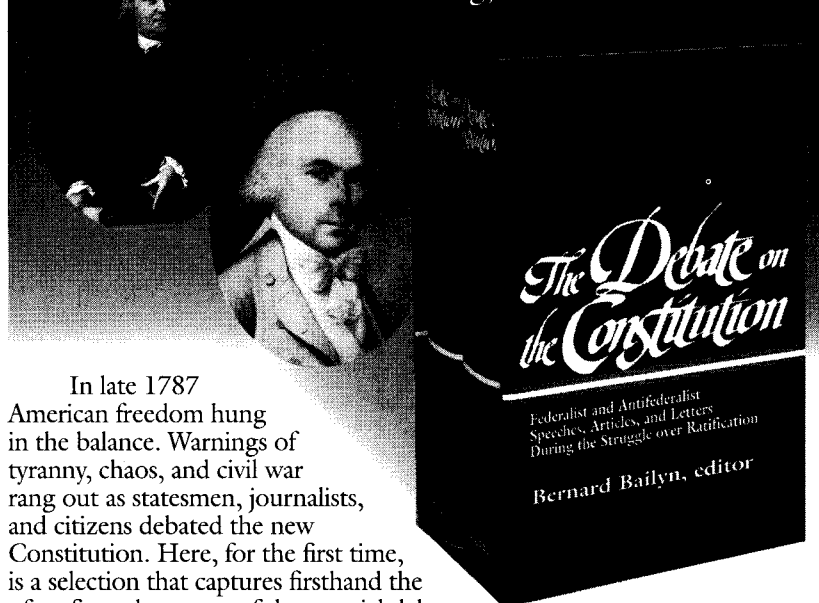
Khmer action resembles these fundamentals too closely to deny. They refused to cooperate with the United Nations Transitional Authority for Cambodia (UNTAC), hence drawing out the peace process; acquired western and northern parts of the country, denied access to the UN, and established their own bases within these areas; and harassed UNTAC, thereby destroying UNTAC's morale and strengthening their own.

The elections occurred without the widespread violence the Khmer Rouge threatened to unleash. Yet, because a potential bloodbath failed to materialize, it does not mean that the most dastardly force in Southeast Asia since the Imperial Japanese has turned over a new leaf, content with the territory it currently enjoys.

David Tsuchiya
Toronto, Ont.

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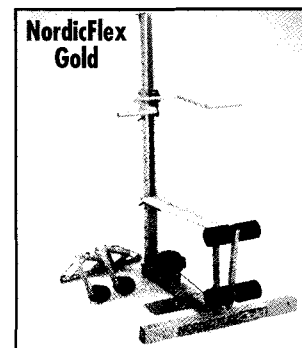
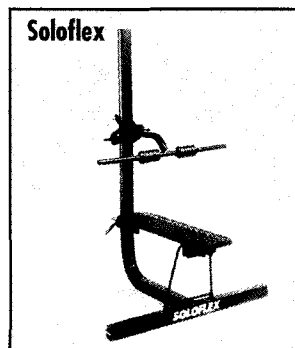
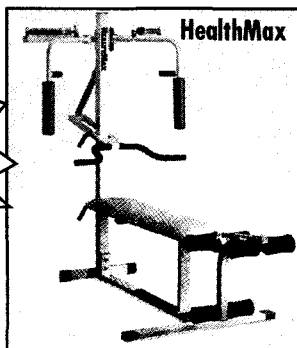
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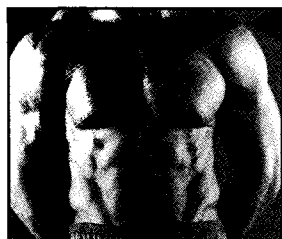
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FROM THE EDITOR

Breathless

■ In the last two weeks President Clinton has enjoyed a marked recovery in public standing. What sparked it? He held a successful press conference, persuaded a Senate controlled by his own party to pass a diluted version of his budget with the Vice President casting the deciding vote, and bombed Iraq. And that's about the size of it.

We pronounce elsewhere on the Iraqi raid. But the press conference and the budget passage were modest achievements. The press conference confirmed that the President is a plausible rogue, and the Senate vote meant that his plan to raise taxes substantially has not perished yet.

Whether the plan will pass in the end, or make him popular if it does, is another matter. It is not policies which make or destroy Presidents, but the consequences of those policies. Mr. Bush was eventually ruined when the 1990 budget deal, also advertised as cutting the deficit on the backs of people earning above \$200,000 a year, spectacularly failed to do so.

For the time being, however, the press has decided to treat Mr. Clinton's aspirations as achievements. Reporters felt they had Gone Too Far in reporting his humiliations, and they began to worry in case he somehow collapsed or disappeared, leaving an embarrassing void between now and 1996. So they rallied round with breathless accounts of the touch-and-go Senate fight ending in "victory."

Which is all very well except for a problem pointed out by Bill Kristol, drawing on his experience as former Vice President Quayle's Chief of Staff. If the American people get a firm, early (though not necessarily accurate) impression of someone's character, it always lurks at the back of their minds awaiting confirmation.

The poor fellow may behave impeccably for months at a time, but then suddenly do something to awaken their suspicion that he is, after all, what they first thought: in Mr. Clinton's case, a shift and untrustworthy

character who doesn't inhale and who gets \$200 haircuts.

Well, Mr. Clinton may manage to stick with cheap haircuts for a while, but he cannot hold his breath for three and a half years.

■ Reasonably fair reports of the National Right to Life conference in Milwaukee suggest that the media believe "abortion rights" to be safe from repeal. They can therefore admit all manner of politically incorrect things: for instance, that the majority of right-to-lifers in Milwaukee were women.

A similar impulse can be seen in *Atlantic* magazine's cover story on the dangers of single-parent families, entitled "Dan Quayle Was Right." While Mr. Quayle was still Vice President, *The Atlantic* would have been reluctant to concede even the larger point about illegitimacy, let alone attach to it a justification of Mr. Quayle.

Those were the days when talk of "family values" was tantamount to fascism. Nuclear weapons had been replaced by nuclear families as the principal threat to civilization. And the Republican Convention had voted to send dissenters to Ozzie and Harriet re-training camps where they would learn how to be good suburbanites. But now it can be told.

If such assurance explains the fairer reporting of the right-to-life conference, it is probably a miscalculation. The main truth about abortion as a political issue is that most Americans oppose most abortions. So they tend to react against the most extreme positions of the group in power.

With the pro-abortion lobby in the driving seat, public concern is likely to switch from preserving "abortion rights" in hard cases like rape and incest to upholding laws on parental consent for minors. And the dynamics of the debate will be reversed—in favor of the right-to-life movement.

That may not be evident, however, because the press will have stopped being fair by then. —JOHN O'SULLIVAN

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NRCS3

■ California's GOP Gov. **Pete Wilson** is in the dumps: his approval rating is 15 per cent, and two-thirds of the state's Republicans would like someone to challenge him in 1994 primary. Republican leaders are murmuring that there need be no move to rally around the governor. He trails likely Democratic opponent, **Kathleen Brown** (sister of **Jerry**), 2 to 1 in polls. . . . In contrast, GOP governors who haven't moved left on economic and social issues are riding high. Illinois's **Jim Edgar** has approval rating of 64 per cent; Ohio's **George Voinovich**, 55 per cent; Wisconsin's **Tommy Thompson**, 72 per cent. . . . In Michigan, conservative activist and former chairman of the NRCC, **Spencer Abraham**, will run for the Senate in 1994 against three-term incumbent **Don Riegle** (D.). Riegle grows more unpopular by the day, helped by **Keating** Five scandal and other dealings. . . . **Ted Kennedy's** son **Patrick**, currently a Rhode Island state representative (having rebounded from the infamous Night in Palm Beach with dad and **William Kennedy Smith**), is considering a run against moderate GOP U.S. Rep. **Ron Machtley**.

■ Possible **Bill Clinton** appointee for U.S. Attorney in Connecticut is **Christopher Droney**, 1992 Clinton state campaign chairman. Droney was mayor of West Hartford in 1989 when police brutally beat Operation Rescue protestors. Droney commended police handling of the event. . . . Continuing rumor is that FBI director **William Sessions** will soon be replaced. Possible successor: **Charles Ruff**. Ruff's nomination to post of deputy attorney general was pulled in March because he had failed to pay Social Security taxes for household help—and also because he had gotten on wrong side of Virginia Gov. **Doug Wilder** and other prominent Democrats. Ruff publicly defended Sen. **Chuck Robb** when he and staff were found to have tapped phone of Gov. Wilder. . . . Impeached

federal judge and current U.S. representative from Florida, **Alcee Hastings**, has put his girlfriend and former lawyer, **Patricia Williams**, on his congressional payroll. Hastings owes Miss Williams, who has been disbarred, some \$500,000. . . . **Sydney Williams**, car salesman and husband of left-wing Rep. **Maxine Waters** of South-Central L.A., is expected to be named ambassador to the Bahamas. . . . Sen. **Barbara Boxer's** daughter, **Nicole**, is to marry **Tony Rodham**, brother of **Hillary Clinton**, in prequel to *Omen IV*. . . . **Martin Ginsburg**, husband of **Ruth Bader Ginsburg**, will someday have a chair named after him at Georgetown Law School (where he is a professor), thanks to **Ross Perot**, who has donated \$1 million toward endowing the chair. Ginsburg found a tax loophole some ten years ago that saved the future third-party candidate millions of dollars in his dealings with GM. . . . Close FOH **Susan Thomases** was a research assistant to Mrs. Ginsburg while the Supreme Court nominee was a professor at Columbia Law School. . . . The *Boston Herald's* **Don Feder** writes that in order to find "a Jew to the left of Mi-

chael Lerner," editor of the liberal Jewish magazine *Tikkun* and guru-at-large for Clinton Administration, "one would have to exhume the remains of **Leon Trotsky**." . . . It was previously reported on this page that the White House Credit Union, among other agencies, was breaking with tradition: the portrait of the current President was accompanied, not by portrait of Vice President, but by portrait of First Lady. However the Credit Union has recently replaced Hillary Clinton with former Tennessee Sen. **Al Gore**.

■ **Masayoshi Takemura**, a leader of the revolt inside the Japanese Liberal Democratic Party, explains that success came to the revolt "because we did not seek consensus." He said they did not even tell their wives of their plans. . . . A poll found that 80 per cent of Japanese executives fear political instability will slow recovery from current recession. . . . **Dimytro Pavlychko**, chairman of Ukraine's parliamentary foreign-affairs committee, said after talks with U.S. officials that Clinton Administration doesn't "have a concept at all—not just as to Ukraine, but as to Russia. . . . Right now, all they are doing is looking at the largest beast [Russia] and throwing scraps at him." . . . **Aleksandr Solzhenitsyn** is building a house near Moscow which is to be completed next spring, when he hopes to return. . . . **Rolls-Royce** has given the okay for an American to sell the British luxury cars in Moscow. . . . Brazil's Finance Minister **Fernando Cardoso** complains his is worst job in all of Brazil: "Worse than being president, as he can blame me."

■ Chesterton Society U.S.A. hopes to raise funds to purchase home of **G. K. Chesterton** in Beaconsfield, England, for use as Chesterton Study Center. For info, contact Society at 1130 17th Street, N.W., Suite 630, Washington, D.C. 20036. . . . September 11 is date for first annual March against Clinton: organizers cite the decline in moral, ethical, philosophical, and economic matters. For info contact **Peter Thelen**, 4367 N.E. 22nd Ave., Fort Lauderdale, Fla. 33308.

■ Topic of a recent **Jane Whitney** show: "Can a Marriage Survive If One Partner Is a Porn Star?" Or two? Or three?



"It's nice to see a Democratic President and a Democratic Congress at each others' throats."

THE WEEK

■ A long-needed debate on National Purpose emerged over Speaker Foley's ringing affirmation of the tax bill: "This is a time to stand and deliver!" Certainly it offers a true perspective on National Purpose as seen from inside the Beltway. Mr. Mike Royko suggests that "stand and deliver" replace "in God we trust" on our coins, and that the phrase be engraved over the door of every government building and printed boldly on every IRS form.

■ Dick Cheney need not wait until 1996 to display his leadership and commitment to the GOP. When former Bush appointee Bobbie Kilberg ran for the Republican nomination for Virginia lieutenant governor this year, Cheney was her most prominent supporter. Miss Kilberg campaigned hard against conservative lawyer Mike Farris, portraying his pro-family views as "extremist" and attacking his support for school choice. Virginia Republicans saw it differently, and Mr. Farris won. Although Miss Kilberg is from the "big tent" wing of the party, she has refused to endorse Mr. Farris and freely trashes his supporters in the press. Mr. Cheney has himself backed the ticket; having played such a public role in the Kilberg campaign, he should now insist that she do the same. In recent U.S. Senate races in both Georgia and Texas, pro-family activists supported GOP nominees after their preferred candidates lost in primaries. We'll now see if liberal Republicans can walk the talk of the big tent.

■ The Supreme Court did the right thing in holding that the Constitution may be violated by a congressional district that snakes across a state for no purpose other than to collect together every enclave of black voters so that a "majority minority" district could be established. On balance, however, we'll give the Court no more than one cheer. The five-member majority also reiterated that "race-conscious redistricting is not always unconstitutional." This ensures that the Court will be faced with a never-ending succession of cases seeking to determine which race-based districts are acceptable and which are not. The principal lesson of the Court's opinion seems to be: If you district by race, try to be subtle about it.

■ Massachusetts governor and Republican presiden-

tial hopeful William Weld has named as chairman of the Commission on Gay and Lesbian Youth one David LaFontaine, a man used to performing in the public eye. In 1990 LaFontaine participated in an ACT-UP demonstration that disrupted the ordination of 11 priests at Boston's Holy Cross Cathedral. Demonstrators held a transvestite parody of the Mass outside the cathedral, then pelted the new priests and their families with condoms after the ordination was over. Also in 1990, LaFontaine was arrested for disrupting a press conference at the State House of clergymen criticizing the Mapplethorpe show. Weld defends LaFontaine, saying, "He's been professional in all his dealings with me."

■ The minority party in Virginia, Republicans need a helping hand. Conveniently, Democratic Governor Doug Wilder is willing to offer one. Mr. Wilder has announced he'll challenge incumbent Senator Chuck Robb in what promises to be a brawl for the Democratic senatorial nomination in 1994. (Thanks, Doug.) Why? "Name three things he [Robb] has done," Mr. Wilder says. "I don't know of any. Virginia needs better than that." (Thanks again.) If Democrats don't opt for a primary, which the Governor considers essential to his nomination chances, he is even threatening to run as an independent. (Doug, you out-do yourself.) Last year three Robb aides were convicted of distributing an illegally taped Wilder phone conversation in a bruising spat. Robb never fully recovered, while Wilder is still limping from an attempt to spike a football stadium down Virginia taxpayers' throat. Now the two look to star in *Cheap Shots! Part Deux*. Republicans—like Senate hopeful Oliver North—will applaud this parody of "Democratic leadership"; voters will likely ensure it has a very limited engagement.

■ Term-limit bills in New Jersey and New York City have been delayed, for the same reason: "non-partisan" legal counsel opining that the measures were unconstitutional. In New Jersey, the state legisla-



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ture was seeking to join 15 other states in limiting the terms of congressmen, while across the Hudson, New Yorkers for Term Limits had collected 64,000 signatures in support of a ballot initiative to limit the terms of city officials. The overt villains were lawyers attached to the New Jersey State Senate and to the New York City Council, respectively. But these legal homunculi know who pays their salaries—lawmakers—and so did their bidding. All the more reason to detach the rascals from their places.

■ There's probably no big-city mayor over the past generation who has so dominated the life of his city as Coleman Young of Detroit. Mayor Young, who came out of the Labor Left movement in Michigan, effectively race-baited his way to 20 years as the mayor of this now 70 per cent black city. His tactics, accompanied by high taxes, hostility to small business, and a weakening of the police department in the name of "affirmative action," contributed to a huge exodus from the city on the part of the former white majority and much of the business community. Increasingly, minorities who could afford to do so also departed the city in response to sharply deteriorating city services. What remains is a shell of a once dynamic Midwestern city—the downtown area with block after block of empty storefronts and vacant buildings; the declining neighborhoods dominated by burnt-out dwellings and thriving crack houses; the public culture rife with both small and large corruptions. Whatever else can be said about him, Coleman Young made a difference.

■ New York's Department of State informs those taking the test for certification as real-estate salesmen (er, salespeople), "Your examination application slip will be marked either PASSED or FAILED and returned to you by mail. Numerical scores are not given to prevent possible discriminatory employment practices based on achievement levels."

■ The National Endowment for Democracy—an independent agency created by Congress in the early 1980s to strengthen fledgling democratic institutions in the Third World and, as the Soviet Bloc started to

break up, in the formerly Communist countries—is under threat. The House recently voted 243 to 181 to shut it down, refusing its requested 1994 funding. Now, NATIONAL REVIEW is not among those enthusiasts who believe that global democracy should be the prime aim of U.S. foreign policy. Strategic national interest is our bent. But the NED is a useful instrument of U.S. policy, however formulated. The Endowment was inspired by Ronald Reagan's Westminster speech in 1982, and it has operated for a decade with bipartisan support. The Democratic and Republican Parties, the U.S. Chamber of Commerce, and the AFL-CIO are the vehicles for its work. It assists new political parties, free newspapers, entrepreneurs, and anti-Communist labor unions where these building blocks of democracy need shoring up. By intervening thus politically, the U.S. can often avoid the painful choice of whether or not to intervene militarily. And the cost is modest. If the Senate is wise enough to see this, a Senate-House conference can revive the NED.

■ As if in reply to *Jurassic Park*, a Communist Theme Park has opened in Budapest, featuring statues of Marx, Lenin, and Ho Chi Minh, all cheap these days, and a path that runs straight into a 50-foot brick wall.

■ Jacques Attali, president of the European Bank for Reconstruction and Development, has resigned, bringing to an apparent end the brilliant public career of this young (49) French Socialist intellectual. M. Attali was a close aide to François Mitterrand in the Elysée, where he was noted for his snobbish antagonism to the United States, his dogmatic devotion to European federalism, and his general arrogance toward most people he met. When he was appointed to the new European Bank, set up to lend development funds to needy Eastern European democracies, the Bank spent more money in its first year on redecorating its London headquarters to M. Attali's taste—more than \$1.1 million to replace the Travertine marble in the lobby with sculpture-grade Carrara marble—than it spent on lending to any actual East Europeans. A Bank Christmas party cost \$78,000, and \$900,000 went to chartering aircraft for his travels. The last straw was a \$10,000 first-class round-trip flight to Tokyo for which he seems to have been reimbursed twice, first by the Bank and then by his Japanese hosts. His board of directors, showing no sympathy for his virtuous standing as a tribune of the proletariat, sacked him.

■ The government of Maryland has put out of business one Ben Poole, age 12, because he was selling snow cones without having the required two sinks in his place of business, a 4 × 8-foot streetside stand his father built. Governments do that.

The Gergen Touch

As subtle as Talleyrand tutoring Louis
Before the old dear was reduced to chop suey,
His tact and timing recall the great coaches
As President Clinton crawls up from the roaches
To handle the mike like a Carson or Leno
While running the government like a casino.

W. H. VON DREELE

■ NOTE TO READERS: The next issue will not be printed until July 21, three weeks after the one you are now reading.

■ Not usually known as the Libertarian Party at prayer, the Cato Institute nevertheless—thanks to the promptings of Cato Senior Fellow and evangelical Doug Bandow—recently held a well-attended conference in Washington entitled “Religion and Liberty: In Harmony or Conflict?” Fr. Richard John Neuhaus received a standing ovation for his impassioned luncheon speech against the idea that “some lives were not worth living,” Rabbi Daniel Lapin urged a moral basis of law in “What the Law and the Prophets Tell Us about Politics,” and Jo Kwong identified environmentalism as the new paganism. Acton Institute president Fr. Robert Sirico noted that this was the first time Cato has sponsored a large conference on religion and he predicted, correctly we pray, that a new dialogue between classical liberals and religious thinkers has begun, replacing the now defunct Christian–Marxist dialogue. In this dialogue, Fr. Sirico sees the Church acquiring a new and more effective approach to social-welfare policies and the like, while classical liberalism “will be asked to reconsider its own Judaeo-Christian roots from which its attention was deflected, primarily by the impact of Ayn Rand.” Amen.

■ The response to our “Decline of American Journalism” issue from both our readers and the media has been overwhelming. We’d like to give credit where it is due: L. Brent Bozell’s Media Research Center provided for us the many egregious quotes (such as the ones from Eleanor Clift on page 57 of that issue) demonstrating the bias that is routine in the mainstream press. We thank everyone at MRC for their generous assistance.

■ The Politics of Meaning has a fine pedigree. About 22 years before today’s press boomlet for Michael Lerner, the *Tikkun* editor and publisher figured prominently in an issue of *Combat*, an NR newsletter tracking the New Left. In a prospectus for the 1971 kick-off of the radical “New American Movement,” Mr. Lerner wrote about “mobilizing a large section of the population that sees the Left as fighting for basic human fulfillment” and combatting “defeatism and feelings of powerlessness.” Sound familiar? In 1971, his group endorsed “a guaranteed minimum income for those who could not or *would not* work.” (Emphasis added.) Today, Mr. Lerner calls for unemployment insurance at levels “equal to the amount they [workers] were making at the time of their employment or equal to the median income in the society.” In 1971, Mr. Lerner and colleagues advocated Soviet-style workers’ councils and wanted to

“soak the rich.” Now, he pushes “Occupational Stress Groups” and extols “sharing the burden of increased taxes.” What’s changed? Twenty years ago Michael Lerner wasn’t friends with the First Lady; now he is.

■ DECONSTRUCTION OF AMERICA DEPARTMENT: In Tucson, U.S. District Court Judge Alfredo C. Marquez has reportedly defended his decision to conduct a U.S. citizenship ceremony in Spanish on the grounds that it will be more “meaningful” to the mostly Mexican immigrants. According to U.S. English, this will be the first time the ceremony has been held in any language other than English. We agree, in one sense, with Judge Marquez. It’s meaningful, all right.

■ Our Ingrate of the Week Award goes to Christophe, quoted in *Newsweek* on two of his famous customers: “I am not saying this in a negative way. But honestly, do you really think that Hillary or Bill Clinton, from what you can see, is very concerned about their appearance?” He’s done *our* hair for the last time.

Half a Cheer for Bill

THE JUNE 26 retaliatory attack on Iraq’s intelligence headquarters was a necessary step, but the Clinton Administration’s explanations only subtract from its impressiveness.

Certainly it was essential to act on the evidence of Iraqi involvement in the plot to murder former President Bush in Kuwait. It was healthy that a President who was a disciple of George McGovern, and whose performance hitherto had reduced U.S. credibility to an all-time low, showed that he was capable of military action. The target was well selected and the attack well executed. It was also important that an Administration that often seemed to worship the United Nations acted alone this time, defending American honor and interests without seeking permission from Turtle Bay.

What was unsettling, however, was that U.S. officials seemed inordinately proud of the restraints they observed—such as attacking at night when no one would be in the building. This is no way to deter a terrorist thug. But Democrats still have a hang-up about the use of force. They cannot get over their Vietnam-era yearning to do it on the cheap—as if using “only a little bit” of force takes the moral curse off it. This is almost always a mistake.

The Administration seems also to have been immobilized by a constipated interpretation of international law. “Proportionality” is indeed a venerable legal principle. The true test of policy in this case, however, was: *Did it do whatever was necessary to*

deter future challenges to us? This is a more demanding criterion. We have enough respect for international law to think that if an interpretation of it leads to a ridiculous result, it must be the wrong interpretation. We do not see how respect for the rule of law is vindicated by any measures that fail to convince Saddam Hussein to keep his head down. Mr. Clinton's airstrike was better than nothing, but his highly advertised restraint only adds to the likelihood that he will be tested again.

Of course there is a pattern here. The Clinton climb-down over Bosnia has left a trail of disillusionment—the contempt of our European allies and bitter complaints from Moslems that we seem uninterested in protecting the rights of Moslems who lack oil wells. In Yugoslavia, Mr. Clinton flinched, offering a limited plan for tactical airstrikes and then backing away both from this and from his campaign promise to lift the arms embargo on the Bosnians. His moral impulse, military judgment, and strategic sense all seemed to be in a state of confusion.

In North Korea the Administration is shockingly passive in the face of Kim Il-sung's nuclear-weapons program. In this case our strategic interest is overwhelming: Japan's confidence in our nuclear guarantee is at stake. All we have seen, however, is Warren Christopher's naïve belief that all problems yield to patient negotiation. Thus, we have been sucked into empty meetings at the UN, frustrating talks at the International Atomic Energy Agency, and conversations with low-level North Korean diplomats that do absolutely nothing to slow down North Korea's drive to complete its nuclear-weapons program. In fact the passage of time works ominously against us. If you really believe that during all this diplomacy Kim Il-sung has told his scientists to hold up on their work, then there's a job waiting for you in the Christopher State Department.

The drastic slashes in our defense budget—twice what Mr. Clinton spoke of in his campaign—only reinforce the growing perception of U.S. impotence. Defense Secretary Les Aspin had come up with a cockamamie global strategy—"win-hold-win"—which would have had us try to win quickly if challenged by some Third World thug, while holding on

by our fingernails if challenged somewhere else at the same time, until we could shift forces back and forth between the two fronts. Mr. Aspin backed off from this Rube Goldberg doctrine after it met with general ridicule, but the Administration has *not* backed off from the drastic cuts in defense that will leave us floundering in just that way.

This incoherence is aggravated by the seductions of humanitarianism. In both Haiti and Somalia the Administration seems positively eager to use U.S. forces to serve some vision of a noble end, with little or no regard to any strategic interest. Mr. Clinton during his campaign, and many liberals in their disquisitions over the last few years, have expressed the desire to use our power for a host of new tasks, from hurricane relief to delivering food. (In Haiti, they imagine they are restoring democracy in the person of the murderer-priest Aristide.) Humanitarian interventionism is a form of escapism, an evasion of the real strategic challenges that face us. As *NR* has said before, it is an illusion to think we can maintain international peace and American leadership while at the same time cutting back our power and evading strategic realities. It's voodoo national-security policy.

Fighting the Unholy War

THE congregation of Sheik Omar Abdel Rahman made the news again with the arrest of eight men who plotted to blow up the Lincoln and Holland Tunnels, UN headquarters, and Federal Plaza in Manhattan, and to assassinate Senator Alfonse D'Amato, Secretary-General Boutros Boutros-Ghali, and Dov Hikind, a Brooklyn assemblyman. As the wheels of justice turn, Americans should consider the issues raised by the second major domestic terror conspiracy in five months.

Half the current batch of suspects are Sudanese nationals; one returned annually to Sudan for "technical training," and one has claimed that he had access to Sudanese diplomatic license plates. Sheik Abdel Rahman, an Egyptian, came to the United States via the Sudan. Racked by famine and civil war, the country has become a staging ground and base camp for terrorists and radicals of all sorts, a second Lebanon. Egypt, a somewhat shaky pillar of moderation and pro-Western sentiment in the Arab world, blames much of its current unrest on money and men filtered in from its southern neighbor. Is the U.S. similarly targeted?

Under present law, it is possible for anyone arriving at Kennedy Airport to claim refugee status and to live here while awaiting the settlement of his case—often to disappear in the interval. Defendants in the World Trade Center case include such bogus

Tomahawks at 2 A.M.

The cleaning ladies got a shock,
As well as janitors who lock
The waxers up before they leave,
But so far no one's known to grieve
Among the spooks who work by day,
So here's one limp Hip-Hip Hooray!

W. H. VON DREELE

fugitives, while Sheik Abdel Rahman, who came here on a fraudulent visa, has used the prospect of persecution at home as an argument to prevent deportation. However many foreigners we let in, we want them here for good reason, under reasonable procedures. Time to tighten the laws.

To be sure, open societies cannot guarantee perfect security, and advanced ones offer many possibilities for gridlock. The terrorist, as used to be said of the bomber, will always get through. But the record suggests that he almost never succeeds. The IRA has been bombing London for 25 years without shutting it down—and without changing British policy in Northern Ireland. Terror campaigns require a sea of popular support for terrorist fish to swim in. Illegal aliens and homegrown radicals—one of the eight suspects is a schismatic black Muslim—may offer puddles of support, but nothing like a sea. The vast majority of American Moslems and Arabs are here because they know the U.S. is better than the countries they left. Determined law enforcement and appropriate foreign-policy responses can keep the problem in check. In simple language: Keep out terrorists trying to come in; throw out those already here; and hit hard at the foreign states sponsoring them.

Second-Hand Science

CONGRESSMAN John Dingell, testy Democrat from Michigan and longtime chairman of the House Energy and Commerce Committee, was blunt about the EPA's approach to science, saying, "It cooks the books with great vigor." Mr. Dingell was supporting his Senate colleague, Bennett Johnston, in sponsoring an amendment to the bill that would elevate the EPA to Cabinet level. The amendment would require the EPA to commission and publish professional scientific assessments of risks to human health addressed by any proposed regulation. The secretary of environment would have to certify that each regulation is "supported by the best scientific data." For good reason. As Senator Johnston said, the EPA has foisted on the American people regulations that are "burdensome, misguided [and impose] enormous costs."

We are skeptical about the ability of some well-crafted words to change the way the EPA does business, but it is interesting that so many non-conservatives (the amendment passed 95 to 3) have caught on to the agency's ways. What may be needed are victims prepared to fight back when afflicted by the EPA. So tobacco growers and cigarette companies are serving the public interest in taking the EPA to court for its misuse of science in declaring environmental tobacco smoke (ETS) a "Class A carcinogen," its most deadly category.

ETS is regarded by many people as a nuisance, and is properly the subject of private rules such as no-smoking zones. But it is typical of the authoritarian that he attempts to transform a nuisance properly handled by an infinite variety of private arrangements into a deadly menace justifying a national edict. The EPA's edict on ETS was accompanied by a weighty tome of junk science, in which almost every known statistical confidence trick is on display.

The overwhelming number of scientific studies have shown no statistically significant relationship between lung and heart disease and exposure to ETS, whether measured by workplace conditions or a history of living with a smoker. Of course, a few studies have shown a slight relationship. Several studies, for instance, suggest higher rates of heart disease among "passive smokers" than among direct smokers; but we would properly protest if the tobacco industry claimed these studies prove that "smoking protects your heart."

Yet the EPA engaged in exactly such statistical finangling in making its case against the highly diluted smoke typically breathed by non-smokers (which is indistinguishable in chemical composition and concentration from cooking and heating system fumes inside buildings). The EPA handpicked studies, including those which best suited its preconceived policy, excluding others which didn't. It failed to adjust for a variety of plausible confounding factors such as diet, a history of other lung disease, etc. It broke the cardinal rule for "meta-analysis" by combining unlike studies. It rewrote the statisticians' rulebook for minimizing the risk of chance association by dropping the standard 95 per cent confidence interval to 90 per cent. It read significance into an odds ratio of less than 1.2 when statisticians conventionally reject the significance of odds ratios of less than 2.0 or even 3.0.

By the scandalously manipulative standards of the ETS case, the EPA could move immediately to ban chlorination of drinking water, order massively expensive reorganization of electricity service lines (because of the speculative dangers of electro-magnetic fields), and outlaw diesel vehicles and heating systems that use number 2 home heating oil. In all these cases there are already statistical studies that produce risk numbers at least as strong as those used to indict ETS.

When power-grabbing scaremongers like those at the EPA hustle up bogus science, an industry has a choice. It can either roll over and die, as the asbestos industry did. Or it can fight, as the apple growers are fighting over the alar scare. The tobacco people are in the fighting tradition in taking the EPA to court over its ETS junk science. We are on the side of the fighters where science supports them, however politically incorrect they maybe.

In Plain Spanish, No

IN THE 1980s, economists were inclined to believe that illegal immigrants contributed more in taxes than they took in government services. But evidence is mounting that this is no longer true—if it ever was.

The enterprising Orange County Grand Jury has just issued a report on the impact of illegal immigra-

tion in its part of southern California. Among other startling details: Children born to illegal aliens account for 30 per cent of all Orange County births and 20 per cent of Orange County's Aid to Families with Dependent Children (AFDC) caseload. Immigrant families make up half of Orange County's public-assistance program caseloads. The burden has been increasing "exponentially"—AFDC cases grew by 76 per cent from 1986 to 1991. Over three-quarters of elementary-school students in the county seat, Santa

RIGHT DATA

Gunning for Gains

THERE THEY go again. The Senate Finance Committee wants to raise capital-gains-tax rates to 30.8 per cent from the current 28 per cent. The move is supposed to increase revenues and, more importantly, shift the burden of taxation toward the wealthy. Of course, we heard the same arguments in 1986, and look what happened then:

Income Bracket	Total (\$Bil.)		Average Per Return		
	1985	1991	1985	1991	Change
Under \$50K	\$31.2	\$13.1	\$ 6,670	\$ 3,422	-49%
\$50K to \$100K	26.2	16.4	15,450	7,656	-50
\$100K to \$200K	22.6	15.9	50,089	17,514	-65
\$200K to \$500K	23.9	15.9	150,052	48,418	-68
\$500K to \$1 Mil.	14.2	9.4	427,840	132,329	-69
\$1 Million +	36.0	27.5	2,488,938	800,093	-68
Total	\$154.1	\$98.2	\$21,916	\$13,430	-39

Capital-gains realizations in 1991 came to more than \$55 billion below the level of 1985, the year before tax "reform" raised capital-gains tax rates. On a per-return basis the decline was far more precipitous, approaching 70 per cent in the upper brackets. There were plenty of gains to be realized that year: the NYSE composite stock average rose 27.1 per cent, reaching a record high on December 31, 1991. Taxpayers simply opted to hold onto their gains rather than sell and give 28 per cent to the Federal Government.

The decline in realizations is the mirror image of what occurred when tax rates were cut. The top capital gains rate was reduced from 48 per cent to 28 per cent in 1978, and to 20 per cent in 1982. By 1982 realizations were double the level of 1977, especially remarkable considering that the recession of that year was the deepest of the postwar period. Taxes paid on capital gains, after sinking to as low as \$4 billion a year in the mid 1970s, soared to a

record \$53 billion in 1986. Upper-bracket taxpayers paid most of this.

The "fairness" issue goes beyond the distribution of the tax burden, however. The failure to adjust capital gains for inflation means that investors are taxed on the purely inflationary part of capital gains as well the real part. Thus an asset bought for \$1,000 in 1975 and sold for \$2,000 in 1993 will generate a \$280 tax bill for its owner even though, after inflation, he has lost more than \$700 on the deal. Wheeler-dealers get in and out too quickly to care about inflation, but small businessmen, farm families, and long-term investors get clobbered.

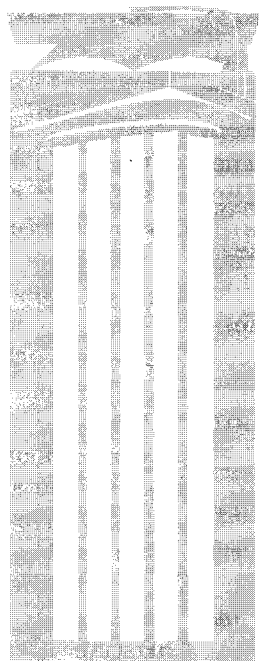
The economic stimulus from indexation has been extensively studied. An analysis by former Treasury economists Gary and Aldona Robbins finds that indexation would raise real growth by 1 per cent and create nearly 2,500,000 jobs by the end of the century. The Robbinses also find that, contrary to what nearly everyone "knows," most of the benefits of indexation go to wage earners. More capital per worker makes workers more productive, enabling employers to pay higher real wages without a reduction in profits.

President Clinton favors targeting capital-gains tax relief to taxpayers who buy stock in start-up companies. This would do nothing to unlock the accumulated capital gains that taxpayers are already sitting on. The numbers are staggering: \$8 trillion of unrealized gains, according to Polyconomics, of which \$1 trillion are real. A better alternative is the one sponsored by Representative Charlie Rangel and Senator Malcolm Wallop: terminate the provision that "steps up" the basis for capital gains at death, but index all capital gains. The Treasury will ultimately collect an additional \$280 billion as investors reinvest their old gains in situations likely to produce new gains.

—ED RUBENSTEIN

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Ana, are now classed as Limited English Proficiency (LEP) and by Supreme Court decree must be taught in their native languages, increasing per-pupil costs by half. Overcrowding is threatening the sewer system—average occupancy in one city is 18 to a room. Illegal-alien felons make up 15 per cent of California's prison population.

The Orange County Grand Jury's conclusion: there should be a three-year moratorium on all immigration.

Reaction of the locally dominant *Los Angeles Times*: a gigantic story headed "O.C. Grand Jury Lacks Diversity, Critics Say."

The news from Orange County supports Rice University economist Donald Huddle's conclusion in his recent report for the environmentalist organization Carrying Capacity Network: in 1982, immigration was a net cost to the various levels of government of some \$45 billion a year.

Immigration boosters will now fall back on another line of defense: what's a few billion in a \$5-trillion economy? The key question about the economics of immigration is not the government book-keeping cost, but the overall benefit—is it an economic necessity? Since all the technical accounting-for-growth literature shows the contribution of labor to be trivial, the answer must "no." By a happy bilingual coincidence, this is one of the few English words that can still be understood in Santa Ana's schools.

Protecting Young People

PRESIDENT CLINTON has nominated one Thomas Payzant to be an assistant secretary in the Department of Education. Who he? Thomas Payzant is the former superintendent of San Diego's public school system, in which capacity he pursued the gay-rights agenda *à outrance*.

First he changed the schools' discrimination code to include "sexual orientation" as a protected category. Then he used the amended code to wage war on that great gay bugaboo, the Boy Scouts of America. He eliminated the Scouts' Learning for Life Program, which offered arts and crafts activities in elementary schools and career guidance in high schools, many of them inner-city schools. The Scouts are still able to use facilities after hours, but only because the law specifically permits this.

Mr. Payzant launched the anti-Scout campaign in response to the recommendations of the city's Gay, Lesbian, and Bisexual Task Force. He ignored the intense opposition of parents (whose letters ran 3 to 1 against his effort) and the requests of PTAs.

For him the opposition didn't matter. This was a moral crusade. "We can't tolerate that kind of organization working with young people," he said, giving

the word "tolerate" an interesting contemporary twist. The Scouts' programs, of course, had nothing to do with homosexuality, one way or the other; Mr. Payzant was engaged not in protecting young people but in executing the gay-lesbian vendetta.

Mr. Payzant's nomination calls for an explanation from the President. But will the Republicans, too timid to fight the nomination of a militant lesbian to HUD, have the gumption to demand it?

The Real Rainbow Coalition

ONE OF the catchier phrases produced by American liberalism in the 1980s was Jesse Jackson's label, "The Rainbow Coalition." New York Mayor David Dinkins's milder slogan, "the gorgeous mosaic," referred to the same concept: the coalition of disaffected races and religions, a Yugoslavia of the mind, all marching left. New York City, of all places, has witnessed the emergence of a very different multi-ethnic coalition, which achieved its first victory in ending the career of Schools Chancellor Joseph Fernandez, patron of *Heather Has Two Mommies*, then went on to win a clear majority of the city's local school-board elections. The results represented a triumph for social conservatives.

The leaders of the social conservatives who made it into the papers were Mary Cummins, the Irish grandmother from Queens; John Cardinal O'Connor; and Pat Robertson, whose Christian Coalition printed voter guides to candidates' opinions. All safely white and right: Archie Bunkers at prayer. But the movement was multilingual and multihued. A third of New York's Hispanics are evangelical Protestants; many of them worship in storefront churches with names longer than their frontage: Zion Assembly Pentecostal Temple of God in Christ. They hated the gay propaganda the bureaucrats proposed forcing down their children's throats, and rallied to the cause. Mary Cummins's own school district is heavily Chinese, and Asian-Americans were

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A stylist shapes his hair at home;
His trial balloons don't buzz the dome,
While Moynihan, excreting nails,
Gets out a budget—which he hails,
Along with Mrs. Ginsburg, who's
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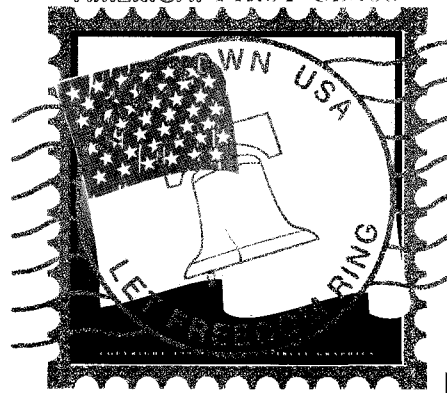
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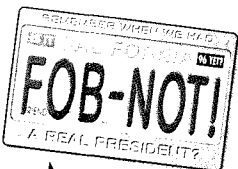


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part of the alliance. Half the black churches in New York are welfare agencies (i.e., on the take), but the rest are independent, and they loathed Heather and her mommies as well. Orthodox Jews, far from the sleek temples of the Upper West Side, joined in; one rabbi told all who called him to vote *against* any candidate with a Jewish name (on the likelihood that they would all be liberal activists).

Ironically, the gay-cheerleading curriculum they opposed was called the Rainbow Curriculum. But the opponents were the real rainbow, united not as fellow grievance-mongers raiding the public treasury, but as individuals resistant to the schemes of bureaucrats and social engineers. They were not political people, perhaps not even reliably conservative. But when the Left provokes them, they will march. Jesse Jackson should do so well.

Shirley Robin Letwin, R I P

THE DEATH of Shirley Robin Letwin at the age of 69 is a severe loss to the cause of human freedom, and a grievous personal loss to her friends. She and her husband, Bill, have been our close friends for nearly half a century, ever since we were all together at the University of Chicago, where Shirley was writing her doctoral thesis under Friedrich Hayek in the Committee of Social Thought, and Bill, his thesis in economics.

Shirley's lifelong passion was serious intellectual discourse on political philosophy. Her insistence on examining fundamental issues, and her ability to express herself eloquently and forcefully, yet impersonally, enlivened any discussion to which she was a party. Her thesis, largely completed by 1951, was not published until 1965—a delay produced by her instinct for perfection. Entitled *The Pursuit of Certainty*, it deals with “how the concept of politics changed in England” as “traced through the lives and works” of David Hume, Jeremy Bentham, John Stuart Mill, and Beatrice Webb.

That book doubtless initiated her love affair with England, which was sealed when she spent a period as a research student at the London School of Economics. Born and educated in the U.S., she and Bill moved to Britain in 1963 and never seriously contemplated a permanent return, though for some while Bill continued to teach part of the year at MIT. They raised their only child, Oliver, who was born in London during an earlier visit, as a proper English gentleman—Eton, Cambridge, and an unsuccessful Conservative candidacy for Parliament. Bill, an eminent economic historian, taught at the London School of Economics; Shirley lectured part-time at LSE, supervised undergraduates at Peterhouse, Cambridge, in political thought, and became deeply

involved in political activity, as a participant in the Thatcherite Centre for Policy Studies. She also repeatedly crossed the Atlantic to give talks and take part in conferences.

Shirley was far more interested in getting at the truth than in making debating points, which explains the time and effort she put into her work. Her second major book was *The Gentleman in Trollope*, published in 1982. Despite its title, it is a work of political philosophy, seeking through Trollope to understand the moral standards and social arrangements that she found so attractive, and unique, in England. Her third book, published last year, *The Anatomy of Thatcherism*, is, as Kenneth Minogue wrote in his review (*NR*, May 10, 1993), “distinguished from virtually every other book on current politics by its philosophical sophistication.”

When Shirley and Bill came to see us last fall in the course of their annual visit to her father, who was still vigorous at 94, she seemed her usual charming, spirited, intellectually intensive self. Similarly, in her last letter to me, in January of this year, only after five pages of handwritten, closely reasoned response to comments by me on her brilliant book on Thatcherism did she note, “I have not been well,” followed by “But I seem to be mending and was able to finish the long overdue ‘law book.’” Unfortunately, that book on “the history of the idea of law” will be her final contribution to clear thinking about an important subject.

—MILTON FRIEDMAN

Pat Nixon, R I P

‘A PILLAR of strength during a time of turmoil,” Ronald Reagan said of her. The other truth is that, as she herself said, it “would not have been a life that I would have chosen.” But she expressed her commitment to duty when she also said, “I just want to be remembered as the wife of a President.”

Pat Nixon repeatedly urged her husband not to try for further public office. She did not want him to seek the Vice Presidency. After he achieved it, she got him to promise not to run for re-election in 1956. She wanted him to return permanently to private life after his defeats in 1960 and 1962. But when he did run, again and again, she was a steadfast and effective campaigner. The 1972 campaign was her favorite, not because her husband carried 49 states against George McGovern, but because it would necessarily be his last.

Ronald Reagan's comment about her strength in a time of turmoil was an understatement. From the campaigns against Jerry Voorhis and Helen Gahagan Douglas through the storms over Alger Hiss,

Hold on to your wallet.

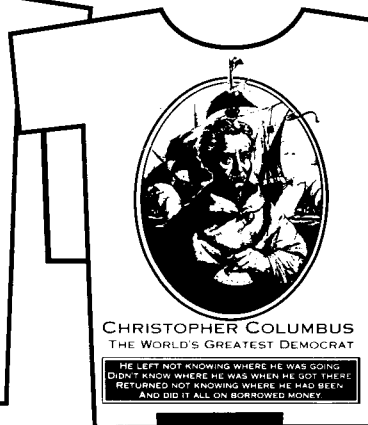
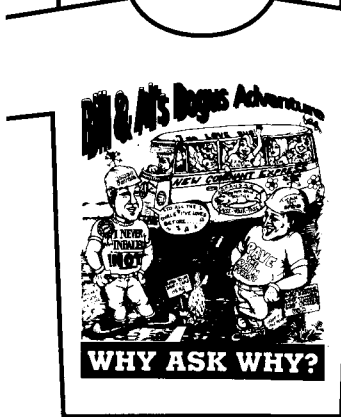
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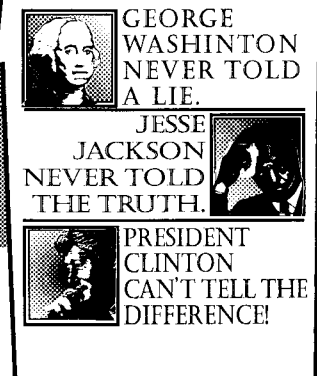
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the "Checkers" speech, the riots in Caracas, the many Vietnam crises, Watergate, resignation, and revival as a elder statesman, Richard Nixon rode an extraordinary whirlwind against totalitarianism. His wife held firm throughout.

Everyone who knew Pat Nixon, and there have been many at *NR* who did, recalls her with great admiration. She played a quietly important role in the history of our time. —JH

NOTES & ASIDES

■ Dear Mr. Buckley:

I am sitting her under a pile of letters from readers about my "Tender Hooks" column (*NR*, June 21). Most of them start out, "Imagine my despair . . ." Several people sent me Xeroxes of the dictionary page containing "tenterhooks," and one man wrote a disquisition on the textile industry, explaining that a "tenter" is the frame on which fabric is stretched to dry, and the "hook" is the nail driven into the frame to hold the fabric while it dries; the fabric is thus in a state of suspended tension, etc. etc.

As I plan to say in my address to Congress as soon as they invite me, the State of the Punnybone is not good. My use of "tender" hooks was deliberate, designed to take a poke at the tender-hearted people who worry constantly about the tender sensitivities of others.

Since you believe in public service, here is your chance. I enclose a flag, hand-sewn by me, containing a coiled snake and the motto, SHE SAID IT ON PURPOSE. Please fly it from the roof of the *NR* building so I don't have to answer all these letters.

Yours sincerely,
Florence King
Fredericksburg, Va.

P.S. Keep the flag. I'm sure you'll need it again. In the immortal words of Lizzie Borden: "I have a feeling somebody is going to do something."
P.P.S. Stet the "P" in Punnybone.

Dear Miss King: Your flag flutters even as I do, in addressing you. Cordially, WFB

■ Dear Bill:

Nobody actually knows whether women or gays would make good combat soldiers. I suggest we experiment and find out. We could recruit two or three infantry rifle battal-

ions of women, and two or three of gays, then put them into combat alongside standard battalions. It would be necessary to be a little careful to make certain that the different battalions got tasks of about equal difficulty and danger.

Of course, we would have to wait until we got into another war. Minor wars would be suitable for small units such as these. After a half-dozen experiments with each of these three types we would then be in a good position to say whether gays and women are equal, worse, or better killers—compared to straight men. This, of course, avoids mixing in the same battalion, but if that was thought to be significant we could set up other battalions that are mixed. Science uses experimental methods, and it seems to me that we should deal with this problem in the same way.

Cordially yours,
Gordon [Tullock]
University of Arizona
Tucson, Ariz.

Dear Gordon: Absolutely capital idea. Wish we had said it. Warmest, Bill

■ Dear Bill:

I too have thought about the response Dan Quayle should have made to Lloyd Bentsen when he was blindsided in that memorable debate. The colloquy would have gone this way:

Bentsen: "Senator, I served with Jack Kennedy. I knew Jack Kennedy. Jack Kennedy was a friend of mine. Senator, you're no Jack Kennedy."

Quayle: "You're right, Senator, and when I recall Mr. Kennedy's tomcat morality, I say to myself, Thank God I'm not."

The Germans call this Trep-penwitz, I believe, which is the response one thinks of on the steps going home.

All the best,
Kilpo
[James Jackson Kilpatrick]
Charleston, S.C.

Dear Jack: Yup, and the French call it "l'esprit de l'escalier," what comes to mind by the time you have reached the foot of the staircase after the verbal shootout with your lady. . . . I've always thought the clincher might have been, "That's right, Lloyd. Jack tried to get the vice-presidential nod in 1956 and failed. I didn't." You like? Hope so. —WFB



"No, it's all ten or nothing!"

The Catholic Church: the Whore of Babylon?



No. But as Harvard historian Arthur Schlesinger Sr. observed, prejudice against the Catholic Church is "the deepest bias in the history of the American people."

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PAYMENT MUST ACCOMPANY ORDER

Clinton's Latest Comeback

BRIT HUME



Roberto Parada

WASHINGTON, D.C. WITH THE hair's-breadth Senate passage of a bill that resembled the Clinton budget, at least in its overall contours, the President seemed well on his way to what the media were sure to characterize as a major "comeback." It is true that the bill that passed the Senate could not have passed the House, and the bill the House did pass had gone nowhere in the Senate. And there were dark warnings of a deadlocked Senate-House conference. But remember: both versions of the bill purported to reduce the federal budget deficit by about \$500 billion over five years; both would do so largely by means of increased taxes on the "wealthy," by taxing energy, and by counting such things as reduced interest on the national debt (from presumed lower interest rates) as spending "cuts." There were major disagreements over such details as

whether to tax most forms of energy (the House/Clinton preference) or just gasoline (the Senate's version). The Senate was also far more willing than the House to curb entitlement spending. These are important differences but they pale beside the political consequences for the Administration and congressional Democrats of failing, after all this huffing and puffing, to produce a budget at all. Thus the conference seemed likely to take a while but unlikely, in the end, to fail.

All this coincides with the President's surprisingly prompt use of force against Saddam Hussein, his hiring of the nominally Republican David Gergen to add some seasoning to his nearly all-rookie top staff, and the beginnings, at least, of a thaw in his chilly personal relations with the reporters who cover him every day. Perhaps more importantly, it all comes at the end of an unmistakable media cycle, heralded a few weeks earlier by the *Time* cover showing a thumb-sized Mr. Clinton beneath the headline "The Incredible Shrinking President." Short of resignation or impeachment, it doesn't get much worse than that. It was inevitable the media would soon be in search of another Clinton story line, whose only possible direction seemed to be up.

Beyond that, however, it was much less clear that anything had changed in the Clinton White House. The Gergen appointment was supposed to mark a shift by the President away from the decidedly leftward policy drift of his first five months in office toward the centrist policies he had stressed in his campaign. Gergen's influence was felt when the budget came up for debate in the Senate, and the White House went all out to move the focus away from the Clinton/Democratic plan and its higher taxes and

onto the supposed meanness of the Republican alternative. Even before Bob Dole had produced the GOP substitute (which had no chance of passage) the President and his team denounced it in class-warfare terms that must have delighted Mr. Clinton's partisans on the Left. Press Secretary Dee Dee Myers, reciting the party line in her daily press briefing June 23, couldn't keep a straight face. The Republican plan, she said, by virtue of not raising taxes, either would not reduce the deficit enough or would "shift the burden . . . to the middle class and to working people and to the poor and to veterans and the elderly."

Responded a reporter (this one, as it happened), "You don't want to leave out the lame and the halt and the blind, do you?" Miss Myers broke up laughing. "The lame and the blind, unbelievable," she said, then broke up again. This went on for several minutes, at the end of which Jim Miklaszewski of NBC News asked, "Do you want to drink some water, or maybe wear my necktie?"

That, of course, was a reference to Mr. Clinton's prime-time news conference a week earlier. CNN's Wolf Blitzer had paused to give Mr. Clinton a chance to have some water, and Gene Gibbons of Reuters had given the President his Mickey Mouse necktie after the President admired it. Mr. Clinton had spoken humbly that night of his being new to Washington and needing to learn its ways. As for the press, he said, "The most important thing is that we attempt, you and I, to create an atmosphere of trust and respect and that you at least know that I'm going to do my best to be honest with you."

There was little evidence in the days thereafter, however, that Mr. Clinton understood that his problems with the press went deeper than mere atmospherics. From the start, the Clinton White House has tended to say whatever was useful to the politics of the moment. For example, in his all-out effort to sell his \$16.3-billion "stimulus package," Mr. Clinton said time and again that the economy was in the midst of a "jobless recovery." When employment leaped by 365,000 new jobs in February, Labor Secretary Reich and the President both claimed that most of the jobs were part-time. It later turned out that the government had no way of knowing whether the

Mr. Hume is chief White House correspondent for ABC News.

jobs were part-time or not and the Labor Department admitted Mr. Reich had used invalid statistics.

Recently, Mr. Clinton changed his mind about the recovery. He started speaking proudly of "755,000 new jobs in the first five months" being part of "a pretty good record." Asked about the apparent inconsistency, the President explained that "the economy is still bad for most Americans but the trends are good." Privately, aides insisted the change in emphasis was caused by a change in "the facts." But what facts? Nearly half of those jobs were February's, the ones the Administration had falsely belittled. Well, officials also said, the Clinton program has now had a chance to work. But what program? The policies in effect today are those of George Bush. The Clinton team, however, has a theory of how its policies can be working without being enacted. It was stated by the President himself on June 17. "The trends are plainly tied to the determination of this Administration to bring the deficit down," he said. "We began to see a substantial drop in long-term interest rates after the election when Secretary of the Treasury Bentsen announced that we were going to have a serious deficit reduction plan."

This is, at best, a dubious proposition, especially given the outcome of the last big effort to cut the deficit by raising taxes and, supposedly, cutting spending. That was the 1990 budget deal which arguably cost George Bush the 1992 election. It, too, was supposed to cut the deficit roughly \$500 billion. But instead of shrinking, the deficit exploded, as the economy stalled, tax revenues dropped, and the weak economy helped drive up entitlement spending. The possibility that their proposed steep increases in marginal income-tax rates could cause such a thing to happen again seems not to occur to Mr. Clinton and his aides, though the President sometimes sounds like a man who understands that higher taxes are not conducive to higher growth. On June 23, he said, "I do not want to punish success. That is not what this is about. I want to reward success . . . and I want people to make a lot of money. But we have to have a fair tax system."

David Gergen has told friends that Mr. Clinton believes he's "out of position," farther to the left than he ever intended, and that he wants Gergen to

help steer him back to the center. Gergen is vague about how Mr. Clinton, a man famed for his grasp of policy, could have wandered off in the weeds. But he insists that a turn toward the center by Mr. Clinton was a condition of his employment. Perhaps, but it is worth remembering that Gergen, originally a Democrat, has happily served Republican Presidents from Nixon to Reagan. He jokes privately about finding himself writing a speech denounc-

ing a policy in one Administration that he had written praise of in another. "I realized I'd been in government too long," he chuckles. Well, now he's back with the aim, as he puts it, of "Letting Clinton be Clinton." But Bill Clinton's record is that of a man fascinated with a multitude of policies, not deeply devoted to any. David Gergen should certainly be able to understand that, but whether he's the man to change it is another matter. □

Gorbachev, Foundation Man

BRIAN CROZIER



Bonnie Gardner

PARIS
I HEREBY dedicate this column to Monique Garnier-Lançon, for without her I would never have met Mikhail Gorbachev. In past incarnations, Monique has been a national television presenter, assistant mayor of Paris (under the conservative leader Jacques Chirac), and a doughty activist for real peace—as distinct from the phony "peace" sponsored by the KGB's Active Measures specialists while Gorbachev was still boss of the then-Soviet Union.

More recently, this improbable great-grandmother (she started young, and retains her Parisian glamor) has qualified as a leading opener of doors. For instance, when Pierre Marion, former director of the French foreign espionage service, the DGSE, wanted to meet Yevgeny Primakov, head of Rus-

sia's Foreign Intelligence Service (successor to the KGB's First Chief Directorate), all he needed was a telephone call to Moscow from Mme. Garnier-Lançon. When M. Marion's successor, Admiral Pierre Lacoste, wanted to meet with Gorbachev, all it took was a similar call.

And all it took for me to meet the Founder and Chairman of the Gorbachev Foundation was an invitation to the reception arranged in his honor by Monique. The arranging of the reception, incidentally, was more of a feat than might be thought. Gorbachev had come to Paris to launch his new book, *Avant-Mémoires*, and to spend a day with President François Mitterrand, whom he had magnanimously forgiven for being in such a rush to recognize the hardline coup leaders in August 1991.

The problem for the literary agents and Quai d'Orsay officials was that they thought Gorbachev's time was their exclusive property. They bombarded Monique with calls wanting to know what she thought she was doing. She just stood her ground, reassured by a call from Gorbachev's French-speaking minder, Vadim Zagladin.

The guests' problem was space. There must have been 150 of us crowded into a small room. A sudden hush told us that the great man had come, and I elbowed my way to the presence. I announced my name, shook Gorbachev's hand, and told him of my interest in discovering that we shared the same publisher (Harper-Collins) for our memoirs. The interpreter did his stuff, and the high point was visual, not verbal, when Gorbachev realized whom he was talking

Mr. Crozier is a longtime NR contributing editor.

to, and rewarded me with raised eyebrows and dilated eyes.

He smiled, however, but begged to disagree with me about the publisher. "No, no," he exclaimed, "my publisher is Bertelsmann."

"Yes," I conceded, "but for the English version, it is HarperCollins."

He agreed. By then, hands by the dozens were outstretched and Gorbachev thought he ought to shake as many of them as possible. I moved over to Zagladin, to whom I was introduced by Maître Jean Violet, that silent star of the French secret service in the time of General de Gaulle. The same grimace awaited me when Zagladin caught my name—a name familiar to the KGB, which could hardly have failed to report my analyses of the career of Zagladin's master (in *NR* and elsewhere, culminating in *The Gorbachev Phenomenon*).

To put things in context, in 1988 Gorbachev appointed Zagladin as his personal advisor and as head of the Central Committee's International Department. At that time, as came out during the recent "trial" of the Soviet Party in Moscow, large sums were still being sent to foreign Parties in furtherance of Lenin's long-awaited world revolution.

Today, more than ever perhaps, Mikhail Gorbachev is indeed a phenomenon. The man seems indestructible. As he has told the world more than once, he knew in advance about the hardline coup of August 1991 and stayed aloof, waiting to see which way the wind would blow. It blew the wrong way, and he lost his job. But you can't keep a good man down and he opted for celebrity status.

He set up a Foundation bearing his name (as indeed did a certain British ex-Prime Minister, bearing hers), started touring the Western world for large fees, and launched a syndicated column. In France, it seems, he is especially adulated ("because we French like losers," said a friend of mine).

The prehistory of the Gorbachev Foundation is intriguing. It was created early in 1992, when Gorbachev and the other founders, including the ever-smiling Eduard Shevardnadze (now back in his native Georgia as the reigning dictator), moved into the headquarters of a short-lived organization styling itself the "Institute for Sociopolitical Research."

That sounds innocuous enough, but

this was only one of many alternative labels for the Lenin Institute of the Central Committee of the Soviet Communist Party. Now the Lenin Institute was where Party members from Western and Third World countries were trained in terrorism, sabotage, and guerrilla war. (Non-Communist terrorist trainees, such as "Carlos the Jackal," were handled by the Patrice Lumumba University, also in Moscow.)

But it hasn't all been smooth sailing for the Gorbachev Foundation. Boris Yeltsin, during one of his confrontational phases with his former boss, seized six floors of the building for his presidential needs. Now I hear persistent reports that Gorbachev has his eye on an impressive building in San Francisco as perhaps a more congenial site for his Foundation.

On the literary side, Gorbachev's latest, the *Avant-Mémoires* (Odile Jacob, Paris), is clearly of more lasting importance than, say, his *Perestroika* (1987), which told us (countless times) of the author's devotion to Lenin, or the rushed mini-book *The August Coup* (1991), which told us how he knew the coup was on the way.

The *Avant-Mémoires*, in contrast, provides verbatim accounts of some important meetings, for instance with President Bush and Prime Minister Thatcher, and the texts of some of the author's speeches—notably his "reply to Winston Churchill" delivered in Fulton on May 7, 1992, the anniversary of the Iron Curtain speech.

As for the Memoirs, I understand that when he landed over 2,000 pages of typescript to Eddie Bell, chief executive of the London end of HarperCollins, not long ago in Moscow, and Bell told him that he would have to cut out 1,000 of them, he banged the table in a reflex action recalling his days of real power. (Which, perhaps, explains why he was not too keen to agree with me that HC was indeed his publisher?)

Make of all this what you will. Gorbachev, as an instrument of history, will have his place in it, good and bad. Let me, however, end on a high note. In the course of a long interview in *Le Figaro*, during his stay in Paris, Gorbachev went out of his way to pay homage to Ronald Reagan. This, at any rate, counts in his favor. □

Heart of Darkness?

ANTHONY DANIELS

LAGOS
IT IS easy to take Nigeria too seriously. The annulment of the recent elections by the military president, General Ibrahim Babangida, has caused righteous indignation in several foreign ministries, which affected not to notice that the two contending parties were arbitrary creations of the president in the first place. He not only decided upon the candidates, but wrote their election manifestos for them. Most Nigerians have become so cynical about their fellow countrymen that any election, however impeccably democratic, would be seen as no more than a choice as to who was to loot the treasury.

The country with the largest population in Africa appalls most visitors, and such is its ill fame that newspapermen would far rather cover any civil war in the world than spend a weekend in Lagos.

Everything is wrong about Nigeria. It is not even a geographical expres-

sion: it is merely a figment of a colonial cartographer's imagination. There are said to be three hundred ethnic groups in the country, many of them complaining of oppression; potentially it is another Yugoslavia, but fifty times as complex.

Nigeria is among the most corrupt countries on earth. Half the drugs sold in pharmacies are counterfeit; the police and army hire out their guns to criminals at night. Swindles of the most extravagant proportions are commonplace there; embezzlement is the highest form of art in Nigeria.

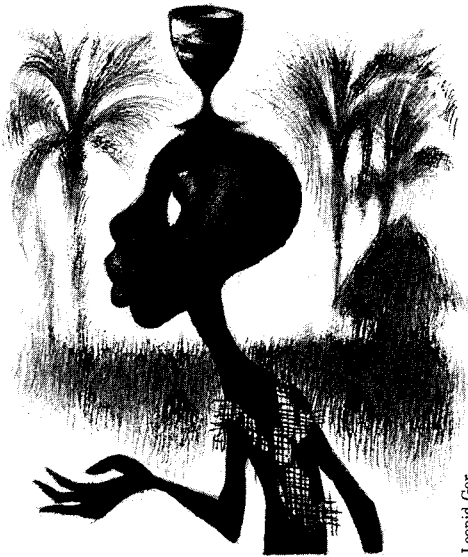
The cities are pullulating and filthy; it is not uncommon to see dead bodies by the side of the road, bloated by decomposition and disregarded by passersby, awaiting disposal by vultures. Few services work, there are regular power cuts, the streets are nightmarish to negotiate.

Dr. Daniels's Utopias Elsewhere is published by Crown.

Justice is unknown in Nigeria, and no one would be so naïve as to expect any. The courts settle matters strictly according to cash, and the prisons are a byword for neglect. According to the Civil Liberties Organization, two thousand prisoners a year starve to death in Nigerian prisons and, having visited a Nigerian prison, I can well believe it. Even with charitable visitations from a local religious group, the overcrowded prisoners looked ill fed, and many were sick with tuberculosis. Some had been detained without trial for as long as ten years, not for political reasons but because their files had been lost, and no one wanted to set the dangerous precedent of releasing them without bribery. Curiously enough, no prisoner complained of the injustice of it, and though many clamored for an improvement in their conditions, all were cheerful: since there was no possibility of justice, the existence of its opposite, injustice, did not seem to bother them.

Economic prospects look grim. Oil has been a curse to Nigeria, bringing enough money to corrupt the country, destroy its agriculture, encourage expensive tastes and a get-rich-quick mentality, but not enough to provide everyone with a decent standard of living. When oil prices were at their peak, the president said Nigeria's problem with money was not how to get it, but how to spend it. Now that oil revenues have declined, and the importation of champagne has been prohibited as a symbol of the necessary national belt-tightening, pessimism about the country's future is universal. Vast sums have been squandered or—at best—spent on real estate in London, and the country has been left without means of support. Its reputation as a sink of financial iniquity frightens off foreign investors. And its huge population grows inexorably.

Political life more than ever consists of a scramble for the spoils of power, first for oneself, then for one's family, then for one's group. Only a fool would not use his position to extract the maximum benefit: indeed, such a man would be not only foolish but bad, inasmuch as he was failing to do his best for those to whom he owed his primary loyalty. This is not an atmosphere propitious for the establishment of a stable liberal democracy. Nigeria's last experience of democratic civilian rule



Leonid Gor

was not an entirely happy one: the government looted the country beyond the expectations of even Nigerians. The minister of transport, according to some reports, embezzled \$4 trillion. Chaos reigned. Thus the choice between military and civilian rule is between two kinds of incompetence and corruption: one with, and the other without, a semblance of public order.

And this is where the good news about Nigeria begins. For though the military regime is not democratic, it is scarcely dictatorial either, in the sense of its presence entering the very fabric of people's lives. Nigeria is simply too diverse a country, and its people too vigorous, for any government to impose its will upon them. Nigerians may live in fear—of poverty, of rising prices, of witchcraft—but not usually of the government. There are some sinister indications, however, that President Babangida may try in the wake of the annulled elections to turn himself into a real—that is to say a

feared—dictator. The writer and activist on behalf of Nigerian minorities, Ken Saro-Wiwa, has been arrested and held incommunicado, as have many of his associates.

Despite their terrible reputation abroad, Nigerians have some endearing qualities. They laugh more readily at themselves than any other people I know, and they laugh with their whole souls. Several times I have diverted the attention of officials who were trying to extract bribes from me by the simple expedient of laughing; and Nigerians have a more highly developed sense of the absurd than any French existentialist.

Furthermore, the life which according to statistical digests ought to be so awful appears to the outsider to be full of fun and joy (as well as tragedy—the two may be linked). According to the statistics, village children suffer horrifying degrees of malnutrition, yet the children look considerably happier than the children of many more prosperous climes, and many of them grow up into strapping adults who seem to have put their malnutrition behind them. The statistics do not lie as much as they fail to tell the whole truth. How can statistics tell of the joy of a village wedding, where seventy-year-old women dance to the beat of drums?

This is the problem of reporting from Africa: the news is always terrible, but somehow life endures, and is by no means as miserable as many, particularly intellectuals, are inclined to assume. Indeed, many of the worst miseries of Africa have been produced by schemes to alleviate supposed misery. One can only hope that Nigeria will be spared the schemes of would-be political saviors: for in politics as in medicine, first do no harm. □

PC in LA

LINDA SEEBACH

LOS ANGELES

FOUR undergraduates at Occidental College have launched a direct assault on a redoubt of political correctness. On June 19, they filed suit in federal district court in Los Angeles against the Office of Civil Rights of the Department of Education. The suit asks for an injunction to prevent OCR from compelling Oxy to

enforce any policy that would infringe students' First Amendment rights to free expression.

The Eagle Rock College's sweeping sexual-harassment policy does infringe students' rights, as Oxy has already agreed. But the policy is unfor-

Miss Seebach is an editorial writer and columnist for the Los Angeles Daily News.

tunately not particularly unusual. It's based in its essentials on the definition of sexual harassment dreamed up by the Equal Employment Opportunity Commission and imposed on innumerable colleges and businesses. So the implications of the lawsuit are equally sweeping.

Oxy's definition included the common-sense understanding of harassment as unwelcome sexual advances, physical contact, and the like, which no sensible person defends. But the definition also included "verbal conduct of a sexual nature when such conduct (including oral, written, or pictorial communication relating to gender or sexual orientation) has the purpose or effect of unreasonably interfering with an individual's work or educational performance, or of creating an intimidating, hostile, or offensive environment for work or learning."

The rule went even further, providing that speech could be punished if it offended third parties who were witnesses to it. And that's what happened to members of the Oxy chapter of Alpha Tau Omega fraternity. A private newsletter circulated to the chapter's 28 members included some vulgar doggerel, unsuccessfully intended to be funny, about a rape. Someone stole a copy of the newsletter and gave it to the campus newspaper, which published the offending verse.

WITHIN a week, 16 members of a college-trained group called Advocates Working Against Sexual Harassment signed a complaint against the fraternity. In addition to the newsletter, they objected to a "run" by members of the football team, during which some ATO members "mooned" the campus.

Campus feminists demanded that the fraternity and its members be punished. And they probably would have been, except for a new California law that took effect January 1 of this year. "It is the intent of the Legislature," said the bill sponsored by State Senator Bill Leonard (R., Upland), "that a student shall have the same right to exercise his or her right to free speech on campus as he or she enjoys when off campus."

The law applies to public and private colleges and universities, and to high schools as well, with a narrow exemption for institutions operated by religious organizations. It prohibits

any policies that would punish students solely for speech or other constitutionally protected communication. And just to make sure that administrators pay attention, the law provides that institutions are liable for court costs and attorney's fees if a student sues them for violating his First Amendment rights and wins.

The law was passed nearly unanimously in both houses of the state legislature, in spite of determined opposition from college and university administrators, who seemed to feel they had some duty to restrict speech on their campuses.

Early in January, attorney John Howard of San Diego—director of the Individual Rights Project of the Center for the Study of Popular Culture, founded by David Horowitz and Peter Collier—acting for the fraternity members, informed President John Brooks Slaughter that Oxy's policy was in violation of the new law.

After receiving Howard's letter, the college prudently decided to postpone, indefinitely, any further action on ATO. But agitation on the campus didn't subside, and Howard decided he had to prevent the administration from caving in.

In March, he filed suit against the college, its trustees, several professors, and a student on behalf of the fraternity members. The suit asked damages for malicious prosecution, defamation, intentional infliction of emotional distress, and invasion of privacy.

On April 5, the college announced a settlement in which they agreed to revise their harassment policy and to take no disciplinary action against the fraternity or its members. The fraternity members, in turn, agreed not to engage in public nudity.

Oxy's press release noted it had to balance sometimes contradictory responsibilities. "We want to make it clear," said President Slaughter, "that both our respect for the the First Amendment and our resolve to create an environment free of sexual harassment remain unfettered."

Raise the curtain on Act II. The students who had brought the original charges were far from satisfied with that balance. They complained to the U.S. Department of Education's Office of Civil Rights, which opened an investigation into the college's failure to implement its harassment policy.

OCR's letter to the college, dated May 18, demanded (by June 3) an overwhelming volume of data. OCR wanted to see, for instance, complete documentation of every interview and letter pertaining to any allegation of sexual harassment—during the last three years! This excess is standard procedure, apparently. The letter is so much word-processed boilerplate that it inadvertently refers to a complaint against "Novato Unified School District (District)."

It's a case of "sued if you do, sued if you don't," and clearly Oxy is in a trap not of its own making. Howard, who calls himself a First Amendment vigilante, would like to disarm the trap, not only for Oxy but for other universities as well—even though, as the opposition to Leonard's bill demonstrated, many are willingly ensnared.

THE Individual Rights Project also lent a hand in another lawsuit, against California State University in Northridge, where a chapter of Zeta Beta Tau was suspended for 14 months for distributing a party flier that mentioned a racially and sexually offensive song. The university ended the suspension after the suit was filed, setting off campus protests against both the fraternity and the administration.

In their search for more politically correct dragons to slay, Howard and Horowitz aren't afraid to go to the top. "Speech codes demonstrate that Lani Guinier's writings did not occur in a vacuum," Howard said. "This kind of activity is countenanced by the Federal Government." Or, in the case of OCR, positively required.

"Clinton purports to be a constitutional scholar . . . and I don't believe that he would permit, if he were aware of it, his office of education to go about the country infringing the First Amendment rights of students," Howard said.

It's hard to believe any reasonably informed person could have missed the uproar over universities' attempts to restrict offensive speech during the past several years. And the President is usually well informed indeed. But then, he was apparently the last person to find out about Miss Guinier's legal theories. Perhaps Howard's lawsuit is just what the President needs to find out that academic freedom is in grave danger. □

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Amerika the Beautiful

THE LEFT'S LAST UTOPIA

America has gradually come to be better liked around the world. Some of this popularity is welcome; but beware of new friends who seem suspiciously like Friends of Hillary.

JOHN GRAY

UNTIL ONLY a few years ago, anti-Americanism was a tribute to the global hegemony of American national culture and the solid realities of American power. The tribute was unwitting, and doubtless unwilling. It was nevertheless unmistakable, shown in the reactive and defensive stance of foreign critics of American society and foreign policy, and in their continuing dependency on American largesse and military protection. Anti-Americanism in Europe was often merely a surrogate for endorsing Soviet objectives; but it also reflected—especially among European conservatives—the resentment of old elites who conceived themselves and their cultures to be doomed to irreversible decline, and who perceived in American postwar hegemony the innocence and arrogance of an *arriviste* power, whose supremacy was nonetheless accomplished fact. In this anti-Americanism, despair about the prospects of European cultures coexisted with an ignorance of the spiritual wealth and achievements of American civilization, while hatred of American power confessed an embittered sense of Europeans' own impotence. In the Third World, by contrast, anti-Americanism and anti-Westernism were more or less synonymous. There, as in Europe, anti-Americanism flourished on the soil of despairing indigenous cultures, ignorance of American civilization, and impotent resentment of American power. Yet, in Africa and Asia, the United States evoked even greater hostility than the old European powers, in virtue of its opposition to

colonial possessions—an opposition seen in the Third World as at once hypocritical and expressing a callower and more invasive imperialism. What better testimony could there be to America's postwar primacy than this universal resentment?

American Anti-Americanism

IN AMERICA, of course, the decades of postwar hegemony were a period—especially from the early Sixties onward—of an indigenous anti-Americanism at least as virulent as any abroad. Indeed it is tempting to speculate that, in the obsessional intensity of its self-loathing, American anti-Americanism, particularly during and after the Vietnam War, provided a model for anti-Americanism throughout the world, and most obviously for that in Europe. For it was in these years that anti-Americanism acquired its most radical form—as an attack, not just on the policies and institutions that happened then to prevail in the United States, but on the values and way of life most definitive of America itself. For the Sixties radicals, these were individualism and capitalism. For them and their European counterparts, America embodied modernity in its most extreme and threatening form—a culture founded on experimentation and novelty, unencumbered by tradition or history, in which both communal life and individual identity had to be constantly reinvented. It can even be said that America showed the threatening face of modernity to these radicals in what they saw as its pervasive *anomie*—in the felt lack of any common or authoritative meaning of life itself. Whether they knew it or not—and some undoubtedly did—the radical critics of America were critics of the modern age of which America is the most unequivocal exemplar.

Mr. Gray, a Fellow of Jesus College, Oxford, wrote this article during a period of residence as Stranahan Distinguished Research Fellow at the Social Philosophy and Policy Center, Bowling Green State University, Bowling Green, Ohio. His most recent book is Post-Liberalism (Routledge, 1993).

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That both native anti-Americanism and the anti-Americanism of America's foreign critics expressed a deep fear of modernity is acknowledged and emphasized in Paul Hollander's comprehensive and admirably

balanced study *Anti-Americanism: Critics at Home and Abroad, 1965-1990* (Oxford University Press, 1992). Hollander's book analyzes indigenous anti-Americanism—as it is found not only in the universities, but also,

Left Hands across the Sea

ONE OF the more intriguing possibilities arising out of the New World Order is that the contours of British political debate might well revert to something resembling their pre-1945 form, wherein the British Left extolled the American radical tradition, while the Right was profoundly uneasy over her "democratic" and anti-colonial heritage.

These attitudes tended to be obscured during the superpower confrontation. The Vietnam War, the racial upheavals of the 1960s, and the succession of Republican Presidencies made it almost impossible for anyone on the Left to say anything good about American society.

This trend was reinforced by the almost simultaneous rise of the Right in both Britain and America in the late 1970s, which created the perception that the Conservatives were the Atlanticist Party. With a passion even exceeding Winston Churchill's for his mother's homeland, Mrs. Thatcher declared that America "has free enterprise built into her constitution. She has no Socialist Party and no danger of ever having one. She is the land of free enterprise, she is the land of freedom, she is the country of last resort and of safe haven for money." Predictably, socialists such as the miners' leader, Arthur Scargill, reacted bitterly to the kinship between those he described as "President Raygun and the Plutonium blonde."

A confluence of developments within what were the superpowers could well prompt the Left once more to articulate its admiration for America. The aging tribune of the British Left, Mr. Tony Benn, believes that the end of the Cold War is already resulting in the re-establishment of the umbilical cord between American radicals and the "libertarian Left."

Mr. Godson is a leader writer on the London Daily Telegraph.

Quite apart from his American wife—who in 1948 supported the Progressive Party presidential candidate, Henry Wallace—Mr. Benn has long thought the American Constitution more democratic than Britain's own; indeed, he takes care to justify his calls for root-and-branch change by reference to such U.S. precedents as the Freedom of Information Act.

Mr. Benn derives inspiration from Tom Paine and the co-operative set up in the 1820s by Robert Owen (arguably the first socialist) at New Harmony, Indiana, and was impressed by Malcolm X. "I went into the meeting [with Malcolm X] a white liberal," he recalls, "and I came out transformed."

Indeed, Mr. Benn has written that "being free from the legacy of ancient history, the United States is able to move more quickly than most countries . . . if America went socialist it would happen quickly. There would be none of the endless debate by liberal intellectuals which took the steam out of the reform movement here. Campaigns like Jane Fonda's economic democracy and Ralph Nader's attacks on the big cooperations have a socialist flavor about them."

It may be argued that Mr. Benn's concerns are no longer representative of the new, Euro-oriented Labour Party. However, a younger generation of Labour activists has been forging its own kind of trans-Atlantic links. For example, Bernie Grant, the far-Left black MP for Tottenham, has been active in establishing contact with his counterparts in the Congressional Black Caucus and has invited the Reverend Al Sharpton to campaign for pet civil-rights causes in London.

Likewise, Diane Abbott, another black Labour MP from London, acknowledges that Labour's proposals for extending contract compliance do owe a debt to the American experience: indeed, the affirmative-action

program to assist Roman Catholics in Northern Ireland—the only part of the United Kingdom where such "positive discrimination" exists—was largely implemented as a result of pressures from the United States.

The election of Bill Clinton as President has reinforced these trends. Indeed, Britain's left-liberal *Guardian* and the Transport and General Workers' Union co-sponsored a "Clinton Economics Conference" in London. The guests included Elaine Kamarck of the Progressive Policy Institute, Democratic pollster Stan Greenberg, and representatives of the UAW and the Teamsters. Some on the Left still resent the "Clintonization" of Labour, perceiving it as little more than a code word for a takeover by slick PR men. However, others feel that the Clinton campaign held profound lessons. Thus, the Transport Workers' boss, Bill Morris, declared: "If Clinton is right-wing, I want a part of it."

Disappointing as the Administration's performance has been so far, the British Left can still find much to admire in its goals. The mere sight of a liberal President dispensing patronage to previously marginal groups is consoling to them. Even in foreign policy, the emphasis on human rights—now expanded beyond Jimmy Carter's definition to include women's and minority issues—is attractive compared to the *Realpolitik* of Douglas Hurd. Indeed, the debate on whether to intervene in Bosnia has thrown the hawk v. dove divide into a confusion akin to that in America, and the Administration's willingness to contemplate air strikes against Serbian nationalists even evokes approval amongst elements of the Left, just as Ronald Reagan's raid on Libya once did on the Right.

To the Left, *Amerika* may not yet be *salonfähig*, but she is on the way to being housebroken.

—DEAN GODSON

and more importantly, in the churches and in the mass media—and the anti-Americanism of America's critics in Europe, in the Third World, and in Mexico and Canada. Throughout his account Mr. Hollander makes a distinction between the legitimate criticisms that may reasonably be advanced of American policies and institutions, as of those of any other country, and the unreasoning animus toward the United States that inspired the varieties of anti-Americanism he identifies. It is this latter attitude that he sees as inspired by a fear of modernity, and it is a dread of modernity that moves the most radical forms of anti-Americanism—those expressed by Americans themselves. Native anti-Americanism also expresses a distinctive American cultural trait, noted by Mr. Hollander: an ideological commitment to optimism which, when it is inevitably disappointed by the drift of events, easily turns to anger and political bigotry.

Here Mr. Hollander's argument suggests questions he does not himself pursue. It is a commonplace truth that the most typical forms of contemporary antinomianism—multiculturalism, radical feminism, Afrocentrism, and so forth—though they are found in all Western liberal cultures, are most frenzied, virulent, and powerful in the United States. Nowhere else, for example, does the atavistic and farcical movement for political correctness enjoy anything like the clout it has here. One may even, without too much exaggeration, describe these movements as peculiarly and natively American. Some questions then suggest themselves: What is it in American culture that renders it uniquely vulnerable to such pathologies? Are we to suppose that the unparalleled strength of these radical movements in America is merely accidental? Or does the fact that America must now have the most leftist political—and popular—culture on earth call for an explanation?

The risks of modernity—which evoke the anti-Americanism of foreigners—are real enough. Decoupled from tradition and history and from any genuine transcendental faith, with inherited religious traditions having succumbed to the Pelagian heresy of the indefinite improbability of the human lot, modern man is defenseless when faced by the myriad political religions, projects of social engineering, and psychotherapeutic technologies that promise an exorcism of tragedy from human life. It is this spiritual emptiness from which the Enlightenment project—that is to say, the liberal project—emerges and which it aspires to cure. But a politics that promises to exorcise tragedy from history and to foster a new kind of human being is bound to bump up against such obstacles as traditional ways of living, cultural affinities, national loyalties, religious attachments, and so on.

Not a Nation but an Idea

IN THE case of American liberalism, this mode of politics has a conception of America as being not a nation like any other, having an identity grounded in the contingencies of language and cultural affinity,

but an ideological construction whose identity derives from universalist principles, notably civil liberty and human equality. For the liberal, America is not a nation but a civil religion (“an idea”), and loyalty to it is a matter not of sentiment but of ideological commitment. But of course America is also—and first and foremost—a nation existing in history, with an unavoidable legacy of particular traditions, institutions, common ways of thinking and speaking. The actual nation is bound to clash with the civil religion from time to time. And given the tendency of American culture, noted by Mr. Hollander, to veer between idealistic optimism and anger when the idealism is thwarted, it was only to be expected that attachment to America as a civil religion should come to express itself as hatred of the values and institutions that are most definitive of America as a historic nationality.

Hence the litmus test of liberalism in America today is the commitment to multiculturalism, with its concomitant delegitimation of all that remains of a common national culture. This liberal rejection of the very idea of a common culture as being itself repressive goes with the interpretation of the United States as being, not a nationality like others in the world, but a universal nation. This oxymoronic conception, endorsed not only by liberals but by many others, including prominent neoconservatives and libertarians, expresses the conviction that the United States is unique, the first of its kind, and the precursor of a new universal civilization.

Taking Nationhood for Granted

IT IS this understanding of the United States as the exemplar of a wholly novel civilization that distinguishes American multiculturalism from other contemporary experiments in nation-building, such as that currently being undertaken—more modestly, but also successfully—in Australia, which is not burdened by an apocalyptic sense of universal mission, and in which immigrants can therefore assimilate to an historic national culture without endorsing the dubious tenets of a liberal civil religion. Similar experiments in nation-building have been carried out in Latin America, sometimes—as in Chile—with considerable success. It is a feature of such successes in nation-building that, as in the United States in earlier times, they do not question the necessity of a common national culture, or deny that its content is a matter of historical accident, having the character of a particular cultural inheritance and not of an application of universal principles. Such humbler experiments in nation-building are typically more successful, if only because the nation which an immigrant joins is a particular historic community, a living common culture, rather than the supposed embodiment of universal principles whose contents are endlessly disputable.

What do these examples, and others in history, tell us of the prospect for America today? The liberal project of destroying a common national culture in America, and

so of hyphenating American national identity, has been under way for some time, and has already had consequences that are probably irreversible. It has not, of course, diminished ethnic conflict—America must now be the most ethnically obsessed and divided of any of the world's liberal democracies—but it has further Balkanized American political life into a contest between ethnic and other special-interest groups for group rights and similar legal privileges. Is it still a real option for America to reassert its identity as an historic nation having a common culture? Or has that option already been closed by liberal multiculturalism? These questions can be put in another way. Can America now do without the liberal civil religion of universal nationhood, when the particular content of its historic national identity has been largely drained away or at least discredited in acceptable political discourse as “nativism” or “racism”? And what does history—that ghost at the feast of liberal ideology—suggest about the fate of a state whose civil religion is based on denying the necessity of a common national culture?

Friends for Enemies

THE IRONIC answer, initially at least, may be a transformation of enemies into friends and vice versa, as America's foreign critics find in American ideological enthusiasm a mirror of their own anti-nomian preoccupations. For those critics, America embodied the modern project itself, about which they had the most intense ambivalence (many of them, ironically, were nonetheless captivated by Marxism, the most stupendously fraudulent of the modernist political religions). Particularly in France, where fashionable political radicalism has always gone hand in hand with monocultural chauvinism, and multiculturalism is still largely unheard of (except for a few nods to the French regions), America has always evoked a mixture of fear and envy as the very quintessence of modernity. It is perceived as embodying the liberal experiment in its most uncompromising form.

In post-Communist Europe the excesses of the American counterculture—now, with the coming to age and power of the Sixties radicals, virtually the dominant culture—are regarded with a mixture of bewilderment and sadness, their rationalist ideological posturings eerily recalling those of the discredited Communist *nomenklatura*. In the increasingly self-confident cultures of East Asia, where the promises of liberalism have never been taken very seriously, the Balkanized chaos of American public life, and the cultural suicide on which the United States appears to them to be bent, are viewed less indulgently, evoking a response of incredulous contempt.

Paradoxically, however, this perceived eclipse of American global hegemony—America's inability to confront its own domestic problems, and its increasing unwillingness to project its still massive military power except in the service of delusive internationalist goals—has been associated with a waning of anti-Americanism

in Europe and in Asia. As America suffers a creeping Brazilianization of its institutions, economy, and public life, its status as a unique exemplar of modernity is ever more compromised, and anti-Americanism loses much of its rationale, and even its thrill. We are probably only a decade or so from a situation in which anti-Americanism is as rare, as incongruous and as irrelevant in global terms as anti-Brazilianism. Insofar as the American civil religion is visibly failing, while traditional American national identity has been delegitimated by multiculturalism, it is inevitable that anti-Americanism should survive, if at all, only as a matter of local sentiment or historical memory.

The decline of anti-Americanism can only be accelerated by the evident obsolescence, in most of the world, of the modernist political religions of which American liberalism was only the most successful exemplar. The prospect is that America will no longer be perceived as a threatening embodiment of modernity, but instead as marginal—as one, but only one, and not the most successful, model of modernization. In this eventuality, America will increasingly be viewed not with hostility but with indifference.

The marginalization of America is likely to be prompted by increasing American introversion—by a turn in America's opinion-forming elites from concern with foreign models, real or imaginary (Sweden or the Soviet Union, Nicaragua or China) to exclusive concern with the local arcana of the American civil religion in its left-liberal form: “diversity” quotas in the news media, Political Correctness in universities, “rights” for groups defined by sexual behavior, etc. It is, after all, rather difficult to pursue the American liberal project through devotion to remote and exotic regimes, when these have actually collapsed, revealed themselves to all as bankrupt tyrannies, or avowedly adopted the market institutions against which American liberals had always inveighed. The displaced patriotism which Paul Hollander analyzed so brilliantly in his *Political Pilgrims* (Oxford, 1981), is hard to sustain when the foreign countries to which allegiance is transferred reject out of hand all the values which motivated the liberal switch of loyalties. (Boris Yeltsin's reported reference to President Clinton as a political tyro and, worse, a socialist, is a good example of the problem that is posed for American liberals by the Soviet collapse. What is the point of being pro-Soviet when the Soviets, or their successor-regime, are pro-American?)

A World They Don't Understand

IN THESE circumstances, it is only natural that American liberal opinion should turn inwards, away from a world it does not understand—a world animated by religious and national allegiances that liberal ideology does not recognize and cannot account for and which, if liberal ideology were well founded, should have long since withered away or become insignificant in political terms. So it is that we witness American opinion engrossed by the drama of the alleged sexual

harassment of Anita Hill, while Iran and North Korea proceed placidly to offensive nuclear capability; that the issue of defense policy that dominates the media is the question of the role of gays in the military, rather than the dangers of American involvement in remote and incomprehensible wars; and that Americans in general are baffled that public opinion in Britain is hostile to the loss of British sovereignty in a European super-state. These are only examples, of which many more could be cited. The truth they illustrate is that, insofar as it is governed by liberal ideology, American opinion is condemned to incomprehension regarding the forces animating political life throughout the rest of the world. The most natural response to such bafflement is a retreat into isolation, cultural as much as political, a kind of national solipsism in which American global leadership goes by default, and the rest of the world ceases to rely on the United States for protection or example.

A curious development enhances this likelihood of American national solipsism—the emergence in Europe, particularly in Britain, of a pro-Americanism in which it is precisely the self-reviling American counter-culture that is revered and admired! In France this admiration of American antinomianism has been expressed by post-modern cultural critics. But in Britain it has achieved a political expression, with left-wing groups such as Charter 88 upholding as ideals worthy of emulation the Freedom of Information Act, affirmative-action programs, and the whole apparatus of anti-discrimination in America. It is commonplace nowadays for left-wing theorists, whose devotion had hitherto been reserved for inaccessible socialist regimes and in whose theorizing America had figured as the Great Satan, to praise American radical feminism, gay rights, and multiculturalism as models to be copied by European countries. This admiration echoes almost uncannily the conviction of American liberals that their country is not a nation deserving of instinctive allegiance, but an idea or civil religion that must be progressively implemented if patriotism is to have any justification. Indeed America is seen as the exemplar of what the British left-wing writer, B. Parekh, calls the “full liberal theory of the state” in which political allegiance depends not on a shared history or a common culture but on rational subscription to universal principles.

Displaced Patriotism

PRO-AMERICANISM of this sort is now commonly the displaced patriotism of the European Left, with America being adopted as the last best hope of universalist liberalism, the one remaining utopian experiment whose fate is yet in doubt. This pro-Americanism of the European Left is likely to grow and strengthen, as the utopian project of a federal European state disappoints them by finally running aground on the reefs of national sentiment. We are not far from the time when European *sandalistas* arrive as political pilgrims on American shores, seeking and finding in the fumbling incoherences of Clintonism a mirror of their

own ideological preoccupations. It is easy to see how this perception of America would chime with the self-image, and nourish the self-absorption, of American liberals.

Neither anti-Americanism—in its radical native forms or its exogenous varieties—nor the new pro-Americanism of the European Left has an instinctive grasp of the prodigious virtuosity of American civilization, its extraordinary capacity for self-renewal through crisis and conflict. These are aspects of the American

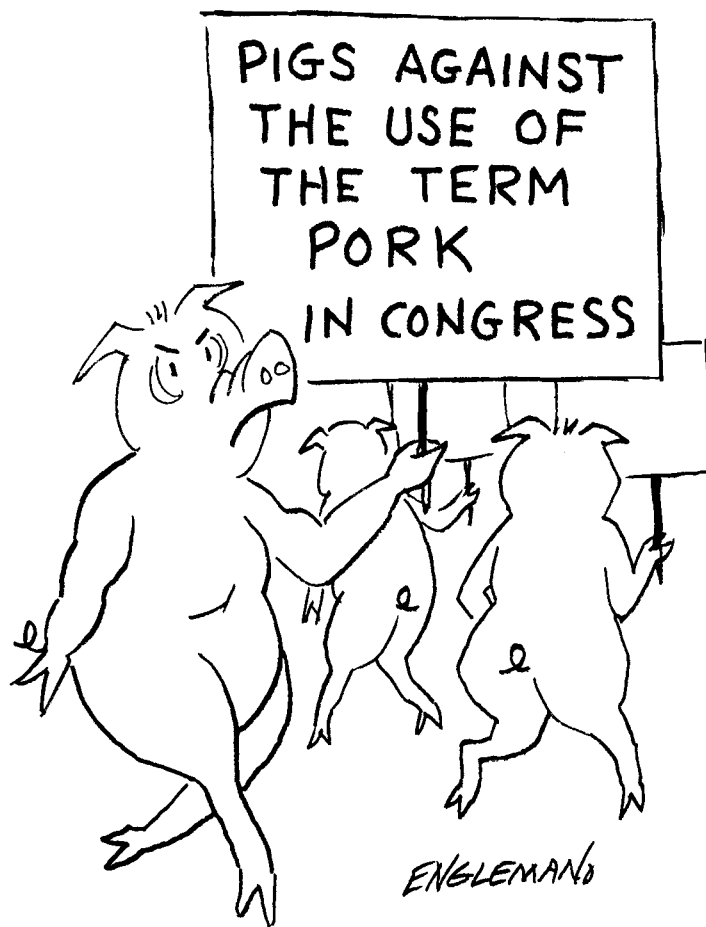
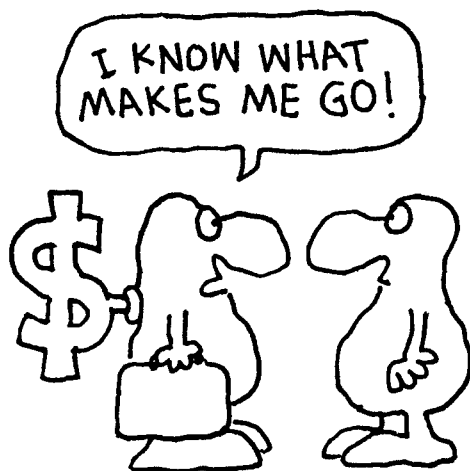


*“The United States embassy? Just follow us.
We’re on our way there right now.”*

national genius that are always neglected, or underestimated, by America’s critics—and by America’s new friends in the European Left, who are perhaps more inimical to America than the older breed of anti-Americans. The present danger is nevertheless clear enough. It is in the paradoxical prospect that the United States is now so firmly in the grip of a universalist liberal ideology without leverage on the political forces that rule our age that America will turn inwards, away from an unintelligible world, into introversion and national solipsism, and in so doing forfeit the leadership on which the world still relies. It will be one of history’s choicest—and cruelest—ironies if the end of American hegemony is signaled by the decline of anti-Americanism and the rise of a leftist pro-Americanism that feeds on the dissolution through liberal multiculturalism of America’s national identity. □

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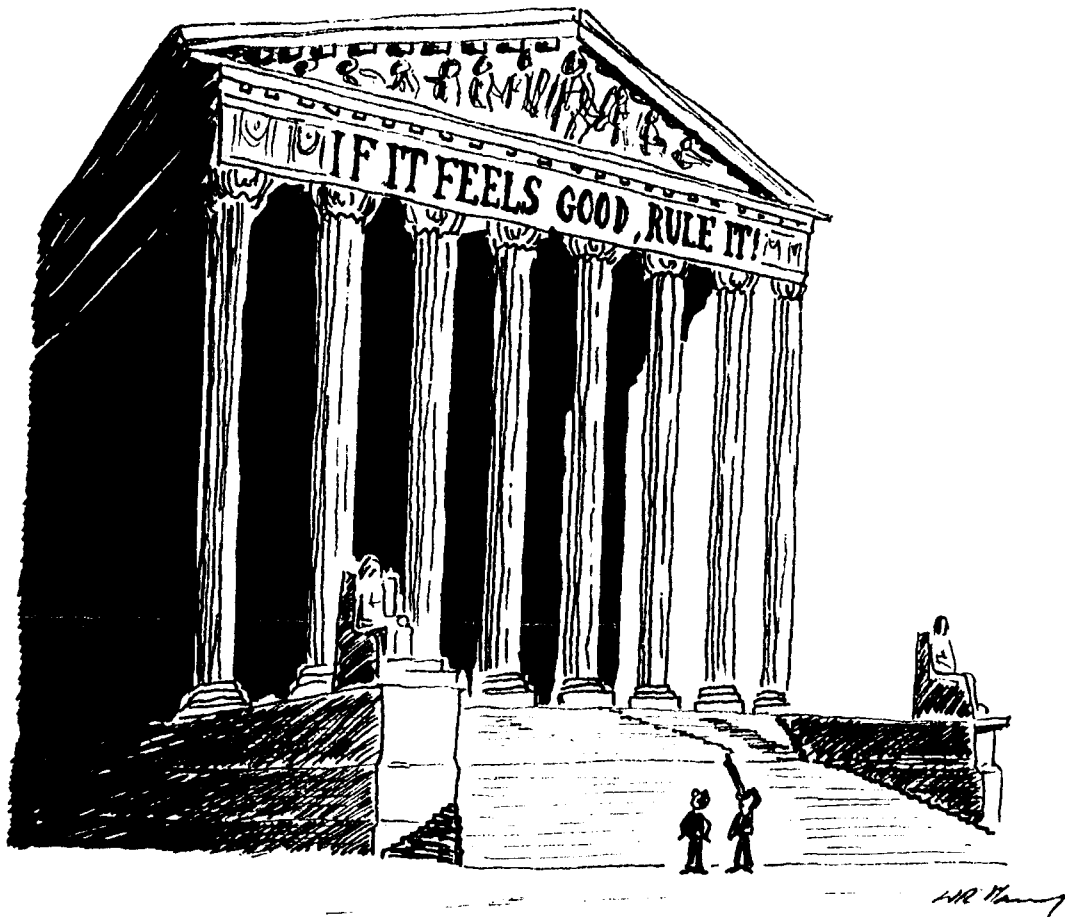


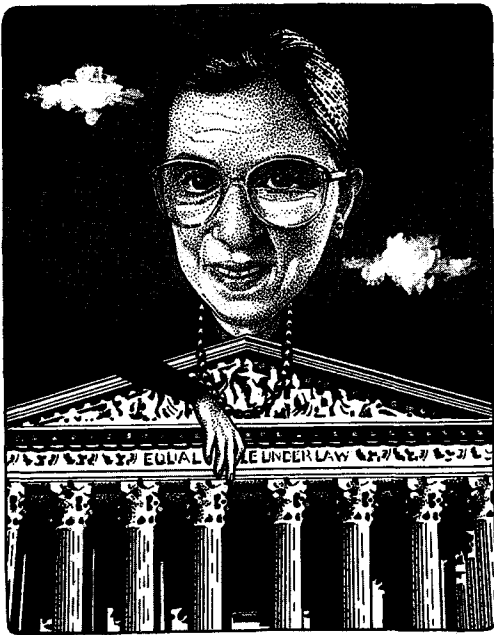
Overwhelmed

Though Myrna Loy appeared at home
 With slanted eyes and lacquered comb,
 Portraying vamps,
 The Immigration Service sags
 As half of Hunan, toting bags,
 Wades in from tramps.

W. H. VON DREELE

"Run my firmly held convictions by me one more time."





Memo to: The Judiciary Committee

TEN QUESTIONS FOR JUDGE GINSBURG

The Republicans on the Judiciary Committee have a right and a duty to find out how President Clinton's first judicial appointee will shape our fundamental law.

STEPHEN MARKMAN

JUDGE Ruth Ginsburg is an honorable and sincere woman who has demonstrated considerable intellectual energy and scholarship on and off the federal bench. Her nomination to the United States Supreme Court is likely to be quickly confirmed by the Senate in an overwhelmingly bipartisan manner. Ruth Ginsburg may not be the kind of candidate whom conservatives would appoint to the bench as one of their own, but she is also not the kind of candidate whom the Friends of Hillary would appoint as one of their own. While the "moderation" of her positions has been considerably overstated in the media, Judge Ginsburg nevertheless is a responsible jurist who has proved able to distinguish between the role of the advocate and that of the judge.

Does all this mean that conservatives have little interest in the Judiciary Committee hearings on Judge Ginsburg's nomination? I would submit that this is not the case. In one sense, conservatives are well served by the nomination of a person such as Judge Ginsburg, who is neither radical in her outlook nor likely to suffer from grievous character flaws of the "gotcha" variety. Instead of attempt-

ing to impugn the nominee's integrity, something that has regrettably dominated the confirmation process in recent years, Committee conservatives should engage in some intelligent constitutional inquiry. Such inquiry would be designed to inform the public about critical choices the Court will be making, which will determine how their Constitution looks in the year 2000—and how Justice Ginsburg would approach them.

Justice Ginsburg would not be bound by constitutional precedent in the same manner as Judge Ginsburg, and so her personal jurisprudence becomes far more important on the High Court than on the appellate bench. Her own view is that the Senate may not properly inquire into a judicial nominee's "particular policies or ideological philosophies." Yet the hearings over the past decade on Bork, Scalia, Souter, Rehnquist, Kennedy, and Thomas argue that a contrary precedent has been established and that in-depth questioning about a nominee's sense of the law and attitudes on larger matters of legal controversy is entirely acceptable.

In the interests, then, of assisting the Judiciary Committee to learn more about the constitutional path down which Justice Ginsburg would take the United States, I offer the following ten questions.

1. Judge Ginsburg, you have been a supporter of an Equal Rights Amend-

ment to the Constitution. Yet, in part through your own efforts as a lawyer, our Constitution today absent an ERA prohibits virtually all legal distinctions between men and women. What deficiencies in the equal treatment of men and women prompt your continued support for the ERA?

The principal remaining distinctions in the law are either trivial ones from long outdated and unenforced statutes or substantial ones that most Americans believe to be justified (e.g., restrictions upon women in various military capacities). Constitutional amendments are not symbolic; they alter the law. What changes in the social fabric does Judge Ginsburg believe would be achieved by an Equal Rights Amendment? To the extent that such changes require an amendment, would she agree that they should not be read into the existing Constitution through the Fourteenth Amendment? Either the ERA is needed or it is not. Judge Ginsburg's answers to this question would help to illuminate both her views on what constitutes "discrimination" and her willingness to recognize that her personal preferences are not necessarily part of the existing Constitution.

2. You have written that the constitutional amendment process should be "lengthy, deliberative, and not frequently invoked." Yet you have also written that the "genius of our Constitution is its supple capacity to serve

Mr. Markman, an assistant attorney general for legal policy under President Reagan, is an NR contributing editor and an attorney with the Detroit law firm of Miller, Canfield, Paddock, and Stone.

through changing times if supported by judicial interpretations that are neither too mushy nor too rigid." Why do your writings suggest a higher comfort level with constitutional change effected by judges than with change effected by the citizenry in a manner expressly set forth in the Constitution?

In her writings, Judge Ginsburg appears more concerned by "trivialized" Article V amendments, by which "we the people" alter the Constitution through legitimate means, than by judicial amendments, which alter the Constitution through means nowhere set forth in the Constitution. By "suppleness," Judge Ginsburg is not referring to a Constitution in which the commerce clause of 1789, for example, is applied to innovations such as cars and planes; rather, she is referring to a Constitution in which the original meaning of the clause has been altered. The debate over how the Constitution should be kept responsive to changing times lies at the heart of our system of self-government.

3. You have criticized *Roe v. Wade* for, among other reasons, the fact that

it was based upon a right to privacy rather than upon a principle of male-female equality. You have also suggested that, had *Roe* been based upon the principle of equality, the Court might well have viewed the question of public subsidies of abortions differently. Do you believe that the Constitution requires that taxpayers subsidize abortions for women who cannot afford them?

The Supreme Court has held that there is no constitutional right to abortions subsidized by the taxpayer. Judge Ginsburg, however, has written that an abortion right grounded in a theory of sex equality might have altered this 5-4 ruling by the Court. The Hyde Amendment and various state restrictions on abortion funding could have been found unconstitutional under this interpretation, on the basis that the "sovereign's . . . duty to govern impartially" was breached. Further, what would be the implications for state laws requiring parental consent or spousal consent prior to an abortion?

4. You have described a jurispru-

dence based upon the original intentions of the framers of a constitutional provision as "unworkable." Could you please tell this committee what you believe to be a more "workable" and appropriate standard of interpreting the words of the Constitution?

If the purposes of the framers of legal provisions are not controlling to Judge Ginsburg, the Committee should persist in learning the alternative standard by which she plans to instruct the rest of us about our rights and duties under the law. The senators should also attempt to determine whether such an alternative standard involves something resembling a rule of law. There is no shortage of complex verbal formulas, developed by academics and judges, that boil down to judges equating their own conscience with the dictates of the law. Further, what does Judge Ginsburg mean by a "workable" standard? Does her alternative standard lead to more predictable decision-making? If not, in what way is it more "workable"?

5. You have been sharply critical in your writings of protective labor laws

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for women based on the "assumption that women could not fend for themselves." Yet you have also written quite supportively of affirmative-action programs in which women are accorded hiring advantages. Could you please distinguish between gender-preference programs you support and those you do not support?

Fighting for sexual equality, as she has understood it, has been Judge Ginsburg's life's work. What today is her conception of equal protection? Are laws which distinguish between men and women bad only when based upon "stereotypes," or are all such laws bad? Are affirmative-action preferences justified whenever they are described as "remedies" for past discrimination? Analogous questions, of course, are raised in the context of racial and ethnic discrimination.

6. You have written to express your agreement with Professor Laurence Tribe that it is a "wooden notion that each branch [of the Federal Government] must be limited to the exercise of the powers appropriate to its own department and no other." Could you please give this Committee some guidance as to what executive and judicial powers the Congress ought periodically



to undertake in order not to fall victim to such a "wooden notion"?

It is clearly true that the three branches of the national government often overlap in the performance of their constitutional duties. For example, the Congress (through its legislative powers to make laws) and the President (through his executive powers to recommend and to veto laws) share responsibilities in the enactment of laws. This is distinct, however, from the notion that one branch or another carries out the powers belonging to another branch. Such an approach tends to erode the limitations upon government action inherent in the separation-of-powers principle.

Further, is it a "wooden notion" to suggest that Judge Ginsburg is mistaken when she defends the right of the judicial branch to "legislate a bit" by extending welfare programs to classes of persons who were not authorized for such benefits by legislative bodies?

7. You have written that the concept of judicial activism is less relevant than the question: "Whose ox is being gored?" While no faction has a monopoly on such activism, will you acknowledge a legitimate concern on the part of this Committee about not placing upon the bench persons who fail to appreciate the limitations of the judicial role?

Just as most people who "dislike labels" or "don't know what a conservative or a liberal is" quickly categorize themselves by these remarks alone, so do those who "can't define" judicial activism. While such a term may not be susceptible of easy definition, the concept is essential in demarcating the line between proper and improper judicial decision-making. Judge Ginsburg owes the Committee her own sense of the boundaries of judicial action. Can she come up with an instance or two in which judges acted outside these boundaries? Can she come up with an instance or two in which judges resisted temptations to do so? When Justice Brennan declares that capital punishment is always unconstitutional, notwithstanding the Constitution's text and history, because he is speaking for "generations yet unborn," is he coming anywhere close to these boundaries?

8. There has been considerable debate in recent years over the "right to privacy," which is viewed by some on the Court as an "unenumerated" constitutional right. On the other hand, there appear to be several fully "enumerated" rights that have not been given much attention by the Supreme Court for many years. One is the right not to have your property taken by the state without just compensation; another is the freedom of contract. What are your own views on these two neglected constitutional provisions?

With the advent of an increasingly adversarial brand of environmentalism, a growing number of conflicts between traditional property rights and the environmental claims of the state have emerged. Some scholars have viewed the "just compensation" or "takings" clause of the Fifth Amend-

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ment as a potential constitutional barrier to regulations that impose disproportionate costs upon individual property owners. The "contracts" clause has been viewed by some as a potential barrier to wage-and-price-control policies. Justice Ginsburg will be an important participant in the debate over whether the Constitution has anything much to say about private property rights.

9. *You have written that equal access to private clubs is essential if women are not to be "held back from traditional avenues of economic and political opportunity and advancement." Could you please share with this Committee your view about the "right of voluntary association" and the extent to which this insulates the private organizations from government-mandated social policies?*

Alexis de Tocqueville once wrote that the "right of association seems . . . by nature almost as inalienable as individual liberty." While assertions of a freedom of association have sometimes been used to justify invidious forms of discrimination, the freedom does help to illuminate the boundaries between the public and the private sectors. It is ironic that the "right of privacy" has taken on great force in recent years while the "freedom of association" has been given relatively little acknowledgment. "Freedom of association" issues will be raised in the context of the right of private colleges to maintain single-sex status; the right of organizations such as the Boy Scouts to set moral standards for their members and leaders; the right of private clubs (including fraternities and sororities) to maintain exclusive membership policies; and the right of religious organizations to maintain discriminatory rituals and practices.

10. *You have written that the "greatest figures [on the federal courts] have exhibited a readiness to re-examine their own premises, liberal or conservative, as thoroughly as those of others." Prior to being appointed to the Court, you gained your greatest professional reputation as a litigator and policy-maker for the American Civil Liberties Union, a highly controversial organization with many Americans. Could you please tell us whether there are any premises of your own, including those that may have attracted you to the ACLU, that you have re-examined since you joined the bench?*

While most members of the ACLU are sincerely committed to their conception of the Constitution, the positions of the ACLU in such areas as criminal justice, the role of religion in American life, school discipline, obscenity law, and affirmative action are widely divergent from those of the majority of the American people. Further, it is an organization committed aggressively to the use of the federal judiciary to achieve its goals. The judicial confirmation process is the final point at which the representatives of the people have some voice in the repopulating of one of the three co-equal branches of the national government. Is it the view of the American people that the legal perspectives of the ACLU need to be reflected to some greater degree on the High Court than at present? If that is an unfair charac-

terization of the judicial philosophy that Justice Ginsburg would bring to the Supreme Court, this would also be instructive for the Committee and the American people to know.

These are merely a few questions that would tend to shed light on the Constitution that Justice Ginsburg would ordain for her country. The Constitution in the year 2000 and beyond will look far different because Justice Ginsburg is sitting on the Court rather than Justice Breyer, Justice Tribe, or Justice Bork. The United States Senate and the American people, while taking care to avoid compromising the judicial role, are entitled to some sense of the nature of that Constitution. It is not inconsistent with a senator's commitment to vote for Justice Ginsburg that he help contribute to this understanding. □

Goals 2000

REFORM AND THE DEMOCRATS

Opportunity to Learn means opportunity to spend.
And the Old Democrats are rarin' to go.

RICH LOWRY

PRESIDENT Clinton recently boasted about the productivity of his young Administration, citing the motor voter bill, family leave, and sundry other accomplishments. Notably missing was what the Administration had hoped would be an easy strike—education reform.

Here is a President whose party controls both houses of Congress and who, as governor, worked effectively with Republicans to forge a strategy for improving education. What could stop a Clinton reform bill? But before the Administration's "Goals 2000: Educate America Act" was even introduced in April it had been disastrously reshaped by the status-quo liberals in the Democratic establishment.

Mr. Lowry is an NR associate editor.

Mr. Clinton's education bill was meant to be the capstone of the reform effort that began with President Bush's 1989 "Education Summit" with the governors, Clinton included. They were working toward reform based on performance, or student achievement. It was agreed that the nation's schools needed better results, not more spending. National content standards would be set at "world-class" levels and states would be encouraged to adopt them. National testing—really a system of separate state or regional tests calibrated to allow results to be compared nationally—would determine whether children were mastering the curriculum. Teachers and principals would be allowed to find new ways of making their schools work.

That was then; this is now. "Goals

2000" flips from stressing outcomes to stressing "inputs"—i.e., spending—and establishes a more intrusive role for the Federal Government. Although

the bill sounds like the Bush program—including language about curriculum standards and testing—it actually heads away from reform,

thanks to something called "opportunity to learn" standards [see box].

"Opportunity standards" really mean "school delivery standards,"

The 'Opportunity' Fantasy

OPPORTUNITY to Learn." That's the key phrase in the education bill President Clinton is pushing. It has a long sad history in the ed biz, but I first encountered it in the spring of 1983.

The previous year I had unearthed reams of buried data on how American students fared in international competition. I did it because I was puzzled: the soothing conclusions of ed-biz experts about how high our kids ranked on a global scale didn't make sense. I had been writing about the decline of American scores on domestic tests over the previous two decades, and I couldn't understand how our national average could fall by half a standard deviation in a generation without affecting our international standing.

So I dug up the data—not what the ed-biz people said about them, but the scores themselves, ours and those of all foreign students who took the same tests, and painstakingly compared them. I published the results in the *Public Interest* in fall 1982, and summed them up this way: "The results for the U.S. were these: Out of 19 tests, we were never ranked first or second; we came in dead last three times, and, if comparisons are limited to other developed nations only, the U.S. ranked at the bottom seven times."

That's the sentence the Excellence Commission quoted in *A Nation at Risk*, the one that made headlines, shook America awake, and made everyone see the threat our poor academic performance poses to our economy, our standard of living, and our place in the world.

A Nation at Risk came out in spring 1983. It accepted my conclusion as fact, and opposition melted away so quickly that most people don't remember there was a debate about whether I was right or not, but

there was, and it was a hot one. Brief, but hot. In 1982, no one knew how badly our kids were faring, and a significant portion of the education establishment was determined to keep it that way.

The point man for the attack, Richard M. Wolf, published a long reply in the summer 1983 *Public Interest*. It turns out all those terrible test results could be explained away as nothing but a harmless little difference in what he called "Opportunity to Learn."

The reason our kids hadn't learned calculus, for instance, was that they'd had no "Opportunity to Learn," because our schools hadn't taught it. It had nothing to do with the fact that they hadn't learned any of the prerequisites—little things like fractions and percentages, not to mention algebra and geometry. Those preliminary subjects had, of course, been taught. The problem was that our kids hadn't learned them, so there was no reason to think that adding calculus to the list of things taught but not learned would make any difference.

That, nonetheless, is the "Opportunity to Learn" argument. At its heart is the fantasy that there is no need to impose real standards on our kids; we can solve all our problems by imposing them on teachers and schools instead, dictating what and how and when to teach in ever-finer, ever-shifting bureaucratic detail. By now, we have filled vast landfills with discarded rules and regulations and the paperwork needed to document compliance with them, but all this misdirected micromanagement hasn't lessened the risk we face.

Our kids' scores are no longer falling as they were in the Sixties and Seventies, but they're not rising either. The new rules issued in the Eighties stabilized us, but didn't help us climb back up to where we need to be to compete and win in the global marketplace. In 1993 as in 1983, we're far behind.

The problem, I think, is that "OTL" is with us still, and not just in the Clinton Administration's dreadful new education bill. The Excellence Commission firmly rejected using "OTL" to pretend we didn't have a problem, but in recommending a solution, they embraced it. The result was a slew of new rules and regulations about what to teach, and how and when to teach it. The new rules were better than the old ones, because they focused on trying to raise standards, not discard them, but they were as misdirected as the old ones because they, too, focused on schools and teachers, not students; on process and content, not results.

To understand why this will never work, think about telling kids—yours or anyone else's—to do something they may not want to do: "Pick up your socks," "Take out the garbage," "Stop hitting your brother," "Be home by ten." Will they do what you ask? Maybe. It depends on whether they think you're serious or not. Whether, in their estimation, you "really mean it," or it's "just talk."

In these terms, all our post-*Nation at Risk* reforms have been "just talk." Teachers ask more of their students but nothing happens to the students if they don't do more. So most don't. And we remain at risk.

It's time to show all our kids that we're serious at last. Time to set realistic academic standards in all our schools and not let kids be promoted or graduated or get into college until they meet them. Time to tell them all that they can and must do better because our future really does depend on it. And when the OTL people tell them we're being harsh and unfair, we need to answer that we'll do everything possible to help the students meet real standards, but we can't let them slide by without meeting them any more.

Defeating Mr. Clinton's "Opportunity to Learn" bill would be a good way to start. —BARBARA LERNER

Miss Lerner writes a regular column for the Philadelphia Inquirer and the Knight-Ridder wire.

which—on the theory that more “inputs” mean better outcomes—are designed to ensure that schools have adequate (and equal) resources, such as textbooks, computers, and professional development programs for teachers. Such standards formed the heart of the bill pushed last year by Senator Edward Kennedy (D., Mass.) and Representative William Ford (D., Mich.), a bill that was intended to provoke an embarrassing, election-year Bush veto but that couldn’t even pass the Senate. Mr. Clinton’s bill is essentially a reprise of that political provocation on a smaller scale.

A new, federal National Education Standards and Improvement Council would oversee the formulation of “opportunity standards” (read: spending targets). The Council itself would consist mostly of professional educators; there’s no requirement that it be bipartisan (and little likelihood that it will be genuinely reformist). The bill creates a \$393-million slush fund for grants to states to promote reform. To be eligible states must adopt “opportunity standards,” which in theory they could craft to fit their own circumstances. In practice, pressure would be put on them to adopt the Federal Government’s standards wholesale.

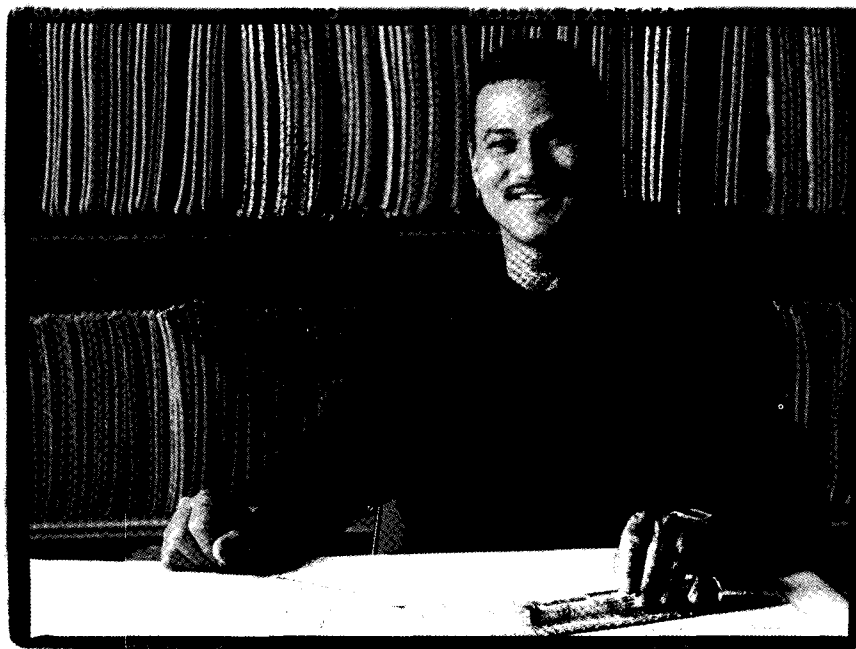
See You in Court

THAT pressure would be augmented by lawsuits. Michael Heise, an education expert at the Hudson Institute, points out that lawsuits charging states with inequitable school funding have resulted in court-ordered spending increases across the nation, notably in New Jersey and Kentucky. With the defeat of almost all recent ballot measures to equalize school financing, litigation increasingly looks like the *only* way to get more dollars for education.

This isn’t lost on the Clinton Education Department. Its undersecretary, Marshall (Mike) Smith, former dean of Stanford’s school of education, has said that prompting lawsuits is one of the purposes of “opportunity standards”—“I know people already who are getting their cases together,” Smith is reported as saying.

But governors like this possibility a good deal less. “States and localities don’t want a federal mandate of what a classroom should look like,” says National Governors Association (NGA)

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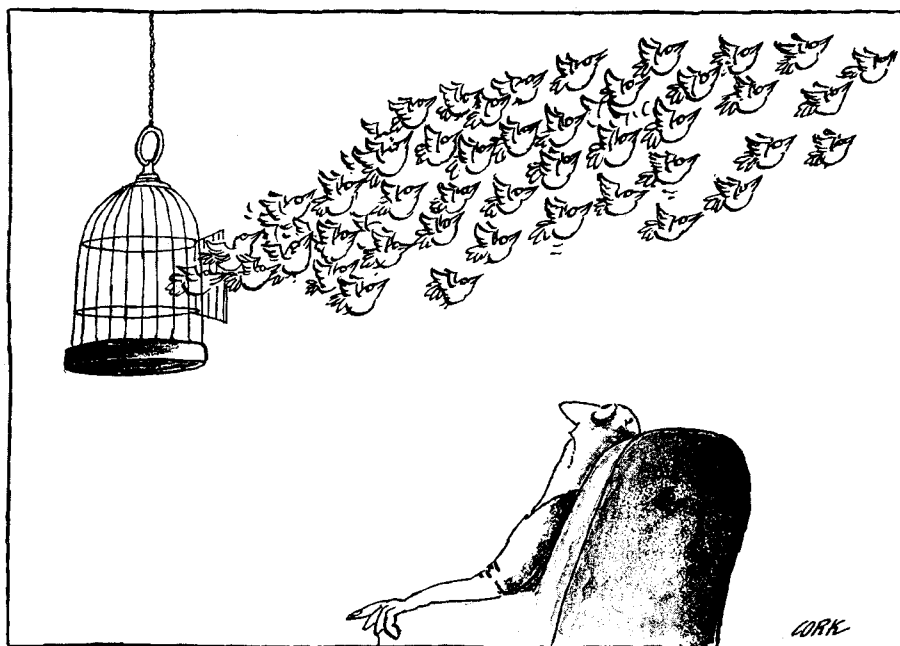
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THE LANGUAGE OF EQUAL OPPORTUNITYSM



policy analyst Patricia Sullivan. The bipartisan NGA—which finds much to like in Goals 2000 and would accept standards on resources that weren't federal mandates in disguise—hasn't taken a position on the bill. However, South Carolina Governor Carroll Campbell, vice chairman of the NGA, objects not only to the "opportunity standards," but also to the federal council's "certifying," on a "voluntary" basis, state curriculum standards. That's considered more intrusive than the Bush approach of creating national standards states could sign onto. Privately, some Democratic governors have the same reservations.

Old Democrats

HOW DID President Clinton and his Education Secretary, former South Carolina Governor Richard Riley, produce legislation that so alarms their former peers? The answer comes in three parts—the President's own party in Congress, his own coalition, and his own Administration. When Mr. Riley brought to Capitol Hill a draft of a reform bill that was more New Democrat than big spender, House Democrats sent him back to rework it, complaining the bill was just warmed-over George Bush.

After 12 years of Republican Presidencies, House Democrats want to romp. They recoil at the idea of testing student performance and won't support a bill that doesn't boost spending. "The legislation will not come out of my committee unless service-delivery

standards are equal to or slightly ahead of any testing or [performance] standards," Bill Ford (D., Mich.), chairman of the Education and Labor Committee, recently said.

The reworked bill meets Ford's specifications. It essentially shelves the original idea of a national testing system with voluntary state participation. Instead, there is a mechanism for certifying that *state* tests correspond with *state* curriculum standards. That won't help, say, Florida parents compare the performance of their schools against those in Georgia. And state tests can be developed with federal research dollars only on condition that they not be used for "high-stakes" purposes (student promotion, graduation, or program placement) for five years. Any federal prohibition on state testing is unprecedented and has danger signs all over it.

But the Democrats' romping had just begun. As the bill went through the education subcommittee, Major Owens (D., N.Y.) offered several amendments that would beef up "opportunity standards," including one that would specify addressing the condition of school facilities. Reform, which began to foster "world class" students, now meant redecorated classrooms. Then John Reed (D., R.I.) amended the bill to require that states, in order to qualify for Goals 2000 money, have plans to take "corrective action" when schools fall short of "opportunity standards." Goodbye "voluntary" standards.

At this, even President Clinton

balked. He sent a letter to members of the Committee complaining that the Reed standards "go too far" and "will impede states' efforts to focus accountability on results." Mr. Clinton also warned against efforts to fiddle with the National Goals Panel, the bipartisan body governors consider crucial to keeping reform from becoming a federal-led affair.

In a clear rebuke to the President, Committee Democrats not only kept the offending Reed amendment, but also hit the Goals Panel. They amended the bill to put the Secretary of Education on the panel—threatening its bipartisan balance—and diminish its role: instead of having the power to approve or disapprove any standards certified by the federal council, it may merely "comment" on them. This House version is likely to clash with a Senate version closer to the original. If House Democrats don't agree in conference to tone it down, Goals 2000 could sink in the Senate.

The House Democrats' chief allies in changing the meaning of reform are the education lobbies. Among unions, the National Education Association was the biggest "soft money" contributor to the Democrats last fall, according to the Center for Responsive Politics. Mr. Clinton knows it. In return, the Administration appointed NEA official Sharon Robinson to head the Office of Educational Research and Improvement, Diane Ravitch's post in the Bush Administration. There Miss Robinson is in a position to steer research grants to the education establishment and to tug the debate onto friendlier terms. But the Administration's biggest payback is producing a bill the education lobbies can support. "It's substantially different from President Bush's proposal though some of the language that surrounds it may be very similar," says NEA spokesman Mike Edwards, arguing that "opportunity standards" are the best route to reform.

How much pull do House Democrats and establishment lobbies have? Look at the precarious position of public-school choice and charter schools in Goals 2000. Governor Clinton started a public-school choice program in Arkansas and in his presidential campaign talked up both choice and charter schools—innovative public schools started by teachers and parents. Now they live on the edge of his bill. States

can spend no more than 15 per cent of the funds from a Goals 2000 grant on promoting charter schools and public choice. It's eighth on a list of nine possibilities. ("Providing special attention to the needs of minority and female students" comes higher.)

Not all the Old Democrat pressure comes from outside the Administration. Granted, the Secretary of Education, Richard Riley, was a colleague of Bill Clinton's in the Democratic Leadership Council. But Undersecretary Mike Smith, a Carter Education official, carries a big stick in the department. The position of "undersecretary" was created especially for him, and, as a professional academic, he knows more about education than either Riley or his second in command, former Vermont Governor Madeleine Kunin, who made her name in environmental regulation. And there's little question about Mr. Smith's educationist bent.

"Teachers or schools cannot legitimately be held accountable for how well their students do unless they have the preparation and resources to provide the students the opportunity to learn," Smith writes in a recent book. He notes that "opportunity standards" could become a "more powerful lever for providing educational opportunity to poor and minority students than those typically used in school finance cases." He even floats a nightmarish idea for governors—"a system of inspectors [that] could be a powerful source for sharing ideas and enforcing common standards."

The Camel's Nose

GOALS 2000 is just a tiny part of the \$30-billion education budget. But congressional Democrats could turn the bill into a way to make every ensuing education program a mandate on the states to cough up more education dollars. Rumor has it that Representative Dale Kildee (D., Mich.) wants to make grants to the states from Chapter 1—the \$6-billion federal program meant to boost the education of poor children—contingent on states' applying opportunity-to-learn standards to their schools. Senate Democrats have openly discussed similar moves.

So rigorous standards and flexibility look to be gone, replaced by spending, regulation, and more bureauc-

racy. Goals 2000 carries a troubling political message for a Bill Clinton allegedly anxious to return to the center: the New Democrat stance has no Washington constituency. If Clinton had pushed an education bill of the sort he might have embraced as governor—with real testing, public choice, and less federal intrusion—it would have fallen short of a conservative solution (which would lean more heavily on school choice) but would nonetheless have constituted a rejection of Congress's big-spending liberalism. No wonder congressional Demo-

crats, the education lobbies, and even Mr. Clinton's Old Democrat appointees were determined to nip it in the bud.

Education reform seemed the natural New Democrat issue. If *that* could be sabotaged, what awaits welfare reform, an even more contentious issue that a similar Washington nexus—congressional Democrats, the Children's Defense Fund, and Donna Shalala's HHS—is anxious to derail? If Goals 2000 is any guide, "reform" is the last thing the nation should ask for from Bill Clinton's Washington. □

Discrimination in Lending

DISCREDITABLE REPORTS

Are bankers letting racism interfere with profits?
Now that *would* be news.

LLEWELLYN H. ROCKWELL JR.

THE CONCEPT of creditworthiness, one of the last vestiges of institutionalized merit, is now under assault. Indeed, in the past year, loan discrimination has become the newest left-wing cause.

No campaign of the Left would be complete without a three-part series in the *Washington Post*. In "Separate and Unequal" (June 6–8, 1993), staff writers Joël Glenn Brenner and Liz Spayd claimed pervasive racial discrimination in mortgage lending and argued for a step-up in government intervention to cure it.

The *Post*'s story accused Maryland, D.C., and Northern Virginia banks and thrifts of giving twice as many mortgages to white neighborhoods as to "comparable" black ones. Moreover, it claimed that banks locate a "disproportionate" number of branches in "white communities."

No need to read the interminable thirty thousand words. The message

was clear in the headlines and pull-quotes: white bankers are oppressing black would-be homeowners through illegal lending procedures. Indeed, House Banking Committee Chairman Henry Gonzalez (D., Tex.) scheduled hearings on the supposed problem one day after the *Post*'s encyclical ended.

As is often the case, however, the *Post* was engaging in demagoguery. The black-white loan disparities are real, although much smaller than the *Post* would have us believe—and the authors never seriously considered explanations other than racism. They let their biases lead them around by the nose.

For example, the *Post* study engaged in excessive aggregation, which disguises the truth. If 75 per cent of the people in one neighborhood were of one race, that race defined the area. This means that if an area was 80 per cent white and 20 per cent black, it was defined as white for the purposes of the study. Blacks in this neighborhood were included in the "white community" loan pool. Thus if a middle-

Mr. Rockwell is president of the Ludwig von Mises Institute in Auburn, Ala.

class black family got a loan, it appeared as a white loan, and thus contributed to the claim of racism.

The authors claimed to discover race-based differences in "comparable" communities. This suggests that the authors adjusted for factors that banks take into account. But they did not. They looked at and adjusted for overall—but not specific—levels of income, as if your neighbor's salary were what a banker cared about when considering you for a loan. Further, the income data were skewed.

Neither did the authors compare black and white default rates. Writing in *Forbes* about a Boston Federal Reserve study, Peter Brimelow and Leslie Spencer showed that the default rate on loans by blacks and whites was nearly identical. This seems to mean that bankers were making correct decisions. If they had been using more stringent standards for blacks, blacks should have had lower default rates than whites.

The *Post* misused other data as well. For example, the story said that the Boston Fed study proved that "minority applicants were 60 per cent more likely to be denied home loans than white applicants." This is nearly true but quite misleading—a trick out of *How to Lie with Statistics*. The study actually showed that 17 per cent of black mortgage applicants are turned down, compared to 11 per cent of whites. That's a not-too-sensational six-point gap. It's true that 17 per cent is 55 per cent (not 60) more than 11 per cent. And 2 per cent is 100 per cent more than 1 per cent. So what? It still leaves 83 per cent of black applicants successfully receiving loans.

The story also complained about the lack of banks in poor black areas, which "has left a void that is increasingly being filled by check-cashing outlets." One black woman "pays \$6 every month to cash her two welfare checks." In fact, this is the market at work. Check-cashing firms can make a profit from people like this, whereas a bank branch could not. Or is the woman supposed to get a mortgage?

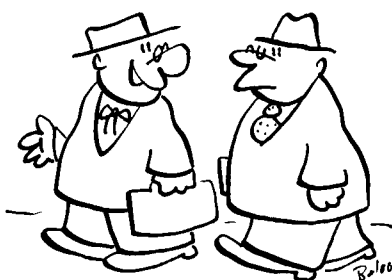
Old Story

THIS is not the first time a major newspaper has whipped up racial hysteria on this issue. In 1988, the *Atlanta Journal Constitution* ran a series concluding (surprise!)

that local banks were discriminating. The chief evildoer was Decatur Federal Savings and Loan, one of the largest lenders in the area. The Justice Department followed up with a harassing investigation and concluded that Decatur had violated fair credit laws by not, for example, giving extra consideration and special treatment to black applicants, and by not advertising enough in black media.

The case was "resolved" by a consent decree. Decatur had to hand out \$20,000 apiece to black applicants whose loans had been turned down, spend a lot of money in black media, give bonuses to loan officers who made black loans (regardless of defaults),

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and hold sensitivity training courses for white employees.

For the past three years, the *Wall Street Journal* has also taken part in this campaign. Its March 1992 study of Federal Reserve data, for example, concluded that banks have systematically discriminated. As the article's lead put it: "When it comes to buying a home, not all Americans are created equal. If you're black, it's twice as likely your mortgage application will be rejected as it is if you're white."

Read further in the massive story, however, and you discover that, as a sidebar put it, "Credit-history information on applicants—a key element in lending decisions—did not have to be reported to federal regulators, so it couldn't be evaluated." Oh.

Assets are another important criterion for loans. The higher the dollar value of assets, the more likely a loan can be paid back, and therefore the more likely the loan will be granted.

But the assets of the median black family are one-tenth those of the median white family. Only 35 per cent of black households involve married couples, another key predictor of loan payback. As even the Fed admits in its November 1992 *Federal Reserve Bulletin*, "minority applicants on average" have "weaker credit histories, fewer liquid assets, and lower net worths and incomes than white applicants." This alone explains the disparity.

A Fed study in late 1992 analyzed data collected during 1991. Of people applying for conventional mortgages, 17.3 per cent of whites were rejected as against 37.6 per cent of blacks, producing a racial gap of about 20 points. When income differences are taken into account, the gap shrinks to 13 points. Among high-income applicants, the gap narrows to as little as 7 points: well-to-do blacks obtained mortgage loans 74 per cent of the time, compared with 81 per cent of the time for whites. Credit history, job history, and other factors were not considered by the Fed, however.

Another study often cited as proving systematic racial discrimination comes from the left-wing Association of Community Organizations for Reform Now (ACORN). In the ominously entitled "Take the Money and Run" (June 8, 1992), ACORN says that black communities receive fewer mortgages, in proportion to their deposits in local banks, than white communities.

But just how relevant is this deposit/loan ratio? Loans are not given to "communities," but to individuals. The study ignores variables, such as credit ratings, assets, and jobs, and therefore can be ignored.

And what of the famous Boston Fed study? Not only was it refuted by Mr. Brimelow and Miss Spencer, but its author (Alicia Munnell, now gone to glory in the Clintonian Treasury) admitted to the *Forbes* editors that while she believes "discrimination occurs," she has *no evidence* for it. "No one has evidence," she added. She still intends, however, to use her new post to punish the banks for racism.

Enough of bogus studies. In 1989, the New York State Banking Department did a real examination of ten New York banks that had been accused of discrimination. The department looked at specific applications and concluded that the banks had applied their underwriting standards ob-

jectively. The gap, in other words, was explained by differences in credit-worthiness.

Yes, there is discrimination in the market for loanable funds: people who pay their bills and otherwise act prudently are favored over those who don't. And isn't this how it should be? The capital for loans comes from savings (present or future). If bankers are to make the two sides of the ledger balance over time, they must be able to predict the future behavior of borrowers. It is this procedure that is under attack.

The Dirty Secret

DESPITE all the talk of racism, nowhere did the *Post* story claim that bankers are rejecting qualified blacks. In one revealing if untrumpeted passage, the series noted that "few bankers would rationally turn away a loan applicant they believe is a good risk." What's the beef, then? "White, middle-class bankers have a precast formula for what constitutes good credit and wise lending," ingrained in them "through their training and life experiences."

While bankers' conduct appears to be based on "sound business principles," it actually makes it "difficult for minority, low-income, or any other 'misfit' borrowers to qualify for loans, whether it's because these applicants have less money for a down payment, have changed jobs frequently, or have a lot of debt." These narrow-minded bankers want "evidence that a borrower has successfully paid off other loans in the past and generally knows how to handle debt." (Call Janet Reno!) Bankers need to realize that "not all borrowers have learned how to establish good credit." In other words, loan officers should be social workers.

Homogeneous, reactionary lenders also seem to think a 20 per cent down payment is necessary on home loans, to tie the borrower to the house and the debt. The *Post* claims that a 3 per cent downpayment "could represent the same commitment" by a person "who may have trouble saving money." And so, by this measure, could \$1.50 from a bum.

The *Post* cites Central Fidelity Bank as an example of good banking. It no longer asks poor blacks to put any money down, and it counts food

stamps as "non-traditional" income. I can see the ad now: "In Debt? Bad Credit? On Welfare? No Job? No Savings? No Problem."

What's a Banker to Do?

HOW DO bankers respond to attempts to destroy what's left of the free market in credit? As businessmen, they know that they do not pass up opportunities to make good loans, to blacks or anyone else, because they are driven by the profit motive. Competition between lending institutions provides additional incentives to be impartial. Any good customer passed over by one bank would be signed up by another. There can be no systematic irrational discrimination in the market.

But given the current atmosphere, bankers are afraid to defend themselves, and some are happy to crawl. A couple of months before the *Post* story, NationsBank took out full-page ads in major newspapers featuring a photo of an angry black woman. The headline read: "All Banks Have Critics. We Just Happen to Listen to Ours." The text: "She's a woman with a full-time

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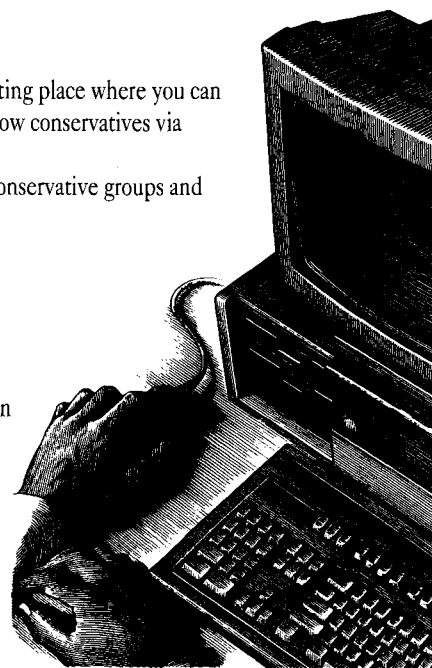
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job, a strong sense of community, and a powerful point of view. Last year, she expressed it. And in the process, she, quite simply, changed our approach to banking." The ad went on to explain that NationsBank now holds a "community loan day," offering low-interest loans, credit counseling, and other programs for poor blacks.

The *Post* congratulated NationsBank for granting "a greater percentage of their home loans to buyers in black neighborhoods than most locally based institutions." It failed to note this was a result of extortion. When two big banks (Sovran and NCNB) were about to merge as NationsBank two years ago, ACORN—with the blessing of the Federal Reserve—held up the deal by threatening a boycott and smear campaign. So the merger could go through without lawsuits, NationsBank promised \$10 billion in extra loans to "the community." Similar shakedowns at other institutions will mean a total of \$20 billion allocated by politics rather than economics.

More recently, a black law professor at Howard University claimed a net worth of \$1.2 million and a home valued at nearly \$400,000. When he wanted a \$50,000 home-equity loan, the bank turned him down because, as the *Post* reported, his credit history showed a pattern of late payments on his bills. Naturally, he filed a lawsuit accusing First Virginia of racism.

A subsidiary of the bank had already offered him a loan at a somewhat higher interest rate, but that made him "livid" because he teaches at "the citadel of civil rights." Of course, a higher interest rate represents a legitimate risk premium, unless slow paying is now a civil right.

Credit Where It's Due

THE ever-expanding welfare state has looted the taxpayers for many years now. Faced with unending demands from their welfare clients and resistance from the cash cows, lawmakers are turning to the pool of loanable funds. The nation's system of banking and credit is being used to redistribute the wealth.

But credit remains a scarce commodity, and although the transfer is largely invisible, every loan given to an undeserving borrower is taken from a deserving one.

After decades of social experimentation, isn't it time to hark back to an old truth? Prosperity requires people who save, defer gratification, live

within their means, and conduct themselves so as to earn the trust of others. Giving credit where it's not due undermines these values. □

Fortieth Anniversary

THE ROSENBERG FILE

What do we really know about the Rosenbergs and the case against them?

JACOB COHEN

IT is now forty years since the Rosenbergs were electrocuted, and the anniversary has given impetus to persistent questions and charges. Why were they killed, both of them? In England, Klaus Fuchs, the German-born scientist who provided the Soviets with far more accurate and useful information on the atomic bomb than anything that might have come from the Rosenbergs, got only 14 years, the maximum allowed under English law. (That law, like ours for treason, differentiates between betrayal to an enemy and betrayal, as it were, to a friend, and at the time of the atomic spying, 1944–45, the Soviets were allies, fighting Hitler.) Tried at a later time, a time of anti-Soviet "hysteria," under a hoary conspiracy statute dredged up to sustain the desired outcome (runs the charge), the Rosenbergs were eliminated for treasons which our own laws of treason would not have recognized. Would a government thus proved to be hell-bent on sacrificial murder (we are asked) have scrupled at framing two innocents? Excessive punishment, *ergo* innocence, *ergo* beatification—runs the familiar non-sequitur.

In the academy, something like this alleged connection between the punishment and (the absence of) crime is now being presented under the aus-

pice of post-modernist theory. Typical is a new book by Virginia Carmichael: *Framing History; The Rosenberg Story and the Cold War* (University of Minnesota Press). The "framing" referred to in the title is not a "frame-up" in the familiar sense, where police and prosecutors deliberately concoct evidence and coerce perjuries in order to trap an innocent victim, but rather the narrative "frame" which (the post-moderns stipulate) precedes and therefore creates all renderings of factual reality. Driven by a story-line which saw the cold war as an apocalyptic struggle with the forces of evil and saw the Atom Bomb as a "secret" which America somehow "owned" and which therefore could be lost only by theft, the FBI and the prosecutors needed traitors and, somehow, found the Rosenbergs. Was the frame-up intentional and malicious? The post-modernist scoffs at the traditionalist's fetish with mundane intentions. In their manner of reading, everything is a kind of frame-up. Did the Rosenbergs actually do the things they were accused of? How can we ever know, and who really cares? We are all trapped in our narrative cocoons (the Rosenberg defenders too, Dr. Carmichael concedes), incapable of resolving issues of disputed fact. The Rosenbergs had to be executed; the narrative demands an ending, in every sense of the term.

In both of these versions, we are encouraged to interpret the case from the perspective of the execution. Let us accept that invitation and recall how and why the Rosenbergs, Ethel as

Mr. Cohen, chairman of the American Studies Department at Brandeis University, is writing a book entitled The Performance of Innocence, concerning Sacco and Vanzetti, Alger Hiss, Bruno Hauptmann, the Rosenbergs, and John Demjanjuk.

well as Julius, came to be killed, for what it may teach us about the frame-up alleged by the Rosenbergs' defenders and about America at that time.

A Time of Fear

WE CAN begin by agreeing, of course, with the commonplace which Dr. Carmichael serves up as revelation. It was indeed a time of great fear of the Soviets and of the "subversives" who allegedly served them as spies and/or spiritual boosters. And the bomb was indeed considered a stealable secret, loss of which to the Soviets could prove deadly. When news came, on August 29, 1949, that the Soviets had tested a bomb, years before it was expected, there were indeed many demagogic calls, in the media and on the stump, to find and severely punish, even execute, the thieves, the traitors.

The search quickly produced results. In February 1950, Klaus Fuchs was arrested in England, after Soviet messages pointing to him were intercepted and decoded. He immediately confessed, in elaborate and checkable detail, about extensive spying—telling, among other things, about the information he had given the Soviets while working at Los Alamos in 1945. In part as a result of Fuchs's confession, his American courier, Harry Gold, was arrested in May, and Gold too confessed, in elaborate and checkable detail, not only about receiving atomic information and conveying it to his Russian superior (whom he named) but also about his life as a spy courier over many years. Gold's confession led directly to a second source of atomic information, David Greenglass, an Army corporal who had worked as assistant foreman in the laboratory at Los Alamos where the lens mechanism for the Bomb was developed. Like Fuchs and Gold, Greenglass confessed immediately, in elaborate and partly checkable detail. (Despite their eager cooperation, both Gold and Greenglass got stiff sentences. Gold, thirty years; Greenglass, fifteen.)

It was Greenglass and his wife Ruth, an active collaborator, who immediately fingered Julius Rosenberg, David's brother-in-law, and then, gradually, over months of interrogation, his sister Ethel. According to the Greenglasses: Julius had totally dropped out of the Communist Party

in 1943 in order to do secret work (a familiar procedure). An ardent Communist avid to help the Soviet Union, Julius had aggressively sought the assignment. During the war he had supplied the Soviets with classified military data gathered from the Signal Corps, where he worked, and later, when he was dropped from the Corps for lying about his Communist past, he supplied secret military information obtained from a job at Emerson Electric. When Greenglass entered the army and was sent to Los Alamos, it was Rosenberg—his hero, he said—who first told him, in some detail, about the atomic bomb being developed there and who recruited him to gather information about the bomb. Twice Julius had personally received atomic information from him in New York and directed him to other contacts there; it was Rosenberg, the Greenglasses said, who arranged and funded the elaborate procedures involved in their conveying atomic information to Harry Gold in New Mexico.

According to the Greenglasses, Julius was involved in several spying activities apart from his efforts to obtain information about the A-bomb. He had bragged about photographing secret documents and spoken of two other apartments in New York City used to photograph documents obtained from Julius's contacts in New York, Cleveland, Ithaca, Syracuse, Rochester, Schenectady, and Buffalo. From these sources (Greenglass said Julius said) he had obtained crucial information about guided missiles, a "sky platform" then on the drawing boards, an atomic-powered aircraft, and the Aswan Dam project in Egypt. Three months before the arrest of Fuchs was publicly announced, Rosenberg had warned the Greenglasses that they would have to leave the country, to France perhaps. And when Fuchs was arrested and then Gold, according to the Greenglasses, Julius hysterically urged them to leave the country, outlining a detailed escape route via Mexico and Sweden to a Czechoslovakian haven, giving them five thousand dollars as well as information about the necessary vaccinations and passport photos and the various passwords, rendezvous points, and identifying signals they would need during their escape.

In this recounting of how the Rosenbergs came to be executed, I do not ask

the reader to accept the Greenglass allegations as gospel, only to concede the justifiable suspicions which they must have created in the FBI. It now seemed strongly possible that Julius Rosenberg was a central player in far-flung espionage activities, covering the years 1943–1950; indeed, efforts to obtain material on the A-Bomb would only have been a brief episode within those activities. He would need to have been in close and continuing touch with the Soviets. Who, except the Soviets, could have told Rosenberg about the secret work at Los Alamos, including details about the A-Bomb itself, before Greenglass knew anything about it? Was Greenglass's assignment to Los Alamos a coincidence? If not, there was a strong suggestion of serious infiltration into the military. Who was behind these clandestine microfilmings of documents and meetings in cars and theaters, in Westchester parks and on Long Island beaches, which Greenglass reported? How did Rosenberg obtain news of the forthcoming Fuchs and Gold arrests, months before the fact, and the detailed information about how the Greenglasses could escape to Eastern

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Europe via Mexico? And where did Julius get the money that he gave the Greenglasses? Clearly, they were on to something big.

Tracking Them Down

BUT THE FBI had more than the Greenglasses to rely on. For example, when Soviet codes were broken in 1948, it became possible to read a message intercepted from the Soviet consul in New York in 1944 which mentioned efforts to recruit two men: William Perl and Max Elitcher. Both turned out to be old college friends of Rosenberg, and when Elitcher was questioned he testified to repeated efforts to recruit him, during the war, by Julius and another mutual friend, Morton Sobell. Elitcher also testified about an apparent transfer of documents from Sobell to Rosenberg which he had witnessed in 1948. In June 1950, after Greenglass was arrested, Sobell, who seems to have had access to information about secret work on a "platform in the sky," abruptly ran to Mexico (Mexico!) with his family, leaving a trail of phony names and secret mail drops. Two other men who were linked with Rosenberg's spy activities, Al Sarant and Joel Barr, also disappeared after Greenglass's arrest, Sarant apparently via Mexico. (Only recently have we learned that both Sarant and Barr eventually went to the Soviet Union, via Czechoslovakia, and became important contributors to Soviet weapons development.)

Then the apartment allegedly used for microfilming was found, and it turned out to have been occupied or leased from time to time by these old leftist friends of Julius, all of them working on defense matters. Further, it was learned that Julius had indeed made inquiries about vaccinations at exactly the time Greenglass said he was urging him to leave the country, and a photographer, miraculously tracked down by the FBI, testified that the Rosenberg family themselves had sat for passport photos and spoken of their imminent departure for France. Now the possible significance of information provided to the FBI in 1945 by confessed courier Elizabeth Bentley became apparent, for she had spoken then about several phone conversations in 1943 with a certain Julius, a spy connected with espionage

with regard to Naval ordnance in Norfolk, Virginia. (Sobell and Elitcher were linked with Norfolk.) From Miss Bentley's description, given, remember, five years before Rosenberg was arrested, the man on the phone, whom she also had seen once at a distance, sounded to the FBI very much like Julius Rosenberg. (In his testimony, Elitcher had said that Julius feared Miss Bentley's recollection of his calls, when her name and sweeping spy allegations became publicly known.)

Further confirming the emerging story was riveting information supplied by a jailhouse informant, Jerome Tartakow, who had befriended Julius at Sing Sing. An old leftist himself, Tartakow said that he had been recommended to Rosenberg by none other than Eugene Dennis, secretary-general of the Communist Party, who was serving time at the same jail for contempt of Congress. Skeptical of these reports at first, the FBI quickly realized that the checkable information Tartakow supplied could only have come from Julius. It was Tartakow, for example, who alerted the FBI to the existence and probable location of the photographer who took passport photos of the Rosenbergs shortly before Julius's arrest.

According to Rosenberg (according to Tartakow) there were two separate spy rings in New York, using two apartments, where indeed the photographing of documents had occurred. In particular, there had been a marathon session in July 1948, microfilming secret documents removed from Columbia University by William Perl (Perl's access to those documents and his unusual presence in New York at the time were independently established). Tartakow said that Perl had been offered money by Rosenberg to leave the country (an allegation partly confirmed by Perl himself), and that Perl had given Rosenberg information about a nuclear-fueled airplane (on which Perl had worked, as he had on the Aswan Dam project mentioned by Greenglass). Tartakow confirmed Julius's travels to Ithaca, told of Julius's work with Barr and Sarant ("one of my boys," Rosenberg had crowed), and added or confirmed the names of other couriers and accessories.

The government investigators must have wondered what manner of man is this Julius Rosenberg, brazenly expanding the government's case in

order to entertain a Communist chess partner. How to explain Julius's naïve confidence that Communists don't tell on Communists? He had bragged to Greenglass, bragged to Tartakow, apparently proud of what he had done. However, while many names had surfaced during the investigation, only Rosenberg could give the testimony which would justify indictments, especially since Tartakow refused to testify publicly. Only Rosenberg, it must have seemed, could reveal further details and, of course, precious names of Soviet spies and Communist Party elements. There was so much that was incompletely known, so much yet to be learned, and Rosenberg was the key, or so it must have seemed to the government. Somehow he had to be persuaded to talk.

Far from supporting the notion of a frame-up, it seems to me that the foregoing leads to the very opposite conclusion. Mild conspiracists argue that after David Greenglass falsely named his brother-in-law and later, reluctantly, his sister, the government followed his lead and cooperated in framing two innocent people. But why frame innocent people who could have told them nothing? It is inconceivable that the FBI would not have known had Greenglass lied; he was interrogated for hundreds of hours and would have tripped himself up, and inevitable failures to corroborate details would have humiliated his fabrications. To believe that the FBI followed Greenglass's false accusations knowing they were false, we must believe that they preferred elaborate lies about the Rosenbergs to the truths a guilty Greenglass must have hidden about his real associates in atomic spying.

Dealing with this problem, strong conspiracists argue that Greenglass and Gold (and perhaps Fuchs as well) were lying about everything, including themselves, volunteering to go to jail (and remain silent) for spying they had not done. Indeed, there was no atomic spying. And Tartakow? Lying, coached to lie, in elaborate detail. And Elitcher? Lying, coached, in elaborate detail. And Sobell's sudden disappearance and trip to Mexico? A family vacation (aliases, maildrops, and all). It was, many Rosenberg defenders say, a witch hunt from beginning to end, and the Rosenbergs were the innocent witches. (Why them? They hadn't even

been Party members since 1943 or engaged in any political activity.) One wonders further, if that is what happened—and in the view of this writer the charge is ludicrous—why didn't the hunters do a better job of it? Why not, for example, command Elizabeth Bentley, and Gold, to say they had seen and clearly remember working with Julius Rosenberg, improving on the extremely vague associations with him which they produced? Why were there not more indictments, more framings? Perl, an expert on the design of supersonic aircraft, was indicted for perjury in denying he knew Julius, but, if the FBI's hunches about him were correct, he might have given the Soviets important secrets he was clearly in a position to know. Other figures in the case—couriers, photographers, possible suppliers—were never indicted. Far from documenting a massive witch hunt, the record revealed by the Freedom of Information documents and other subsequent materials, indicates an FBI and federal prosecutors frustrated to death by their incapacity to bring more, or more serious, indictments. Historical rumors to the contrary notwithstanding, American rules of law were not in total abeyance in those McCarthy years.

It was Rosenberg's fault, the FBI and prosecutors must have thought. He alone could provide the evidentiary connections necessary for indictments; he was their entree into spy networks as yet unknown but easily intuited. And their fury at him, and eventually his wife, for remaining silent, for pretending total innocence in an elaborate public performance, reveals their sincere and deadly belief in his guilt, and perhaps hers, though the evidence for her involvement was extremely skimpy.

Coerced confession was the game from first to last. Ronald Radosh, whose book (with Joyce Milton) *The Rosenberg File* remains the supreme treatment of the entire case, has argued that Ethel's arrest, more than a month after her husband's, was a cold-blooded effort to pressure Julius into confessing and informing. Julius was totally devoted to Ethel; now their children were threatened with abandonment. The FBI knew it had virtually no case against Ethel and may

(Radosh is cautious in his accusation) have persuaded the Greenglasses to expand on her role—to lie, in other words. I see no evidence of this, but if they did embellish on Ethel's role, the Greenglasses must have done so reluctantly, because, as Radosh points out, Ethel's participation, even in their final version, is quite modest. Allegedly, she had typed some materials and had urged Ruth on in letters and



conversations; she had been there, beside her beloved husband, believing in what he believed in, and must have known. That's the sum of it. There was far more on Ruth Greenglass than this, and she was never indicted. Notwithstanding all this, if the arrest of Ethel was meant to break Julius, it didn't.

Threat of Execution

SO THEY moved to the threat of execution. The press had been speculating about the death penalty from the moment of Julius's arrest, in July 1950, just after the beginnings of the Korean War, and some of that speculation spoke openly of using the threatened execution as a lever to obtain confessions and accusations. Prospective jurors who opposed capital punishment had been dismissed, and both prosecution and defense attorneys made clear to the jury that the Espionage Act of 1917, under which the Rosenbergs had been indicted, empowered the judge to invoke the death sentence. Interviewed after the trial, the jurors indicated they knew the stakes, and had not flinched from their confident verdict.

The very presentation of the case in court seems to have been predicated

on the need to obtain a death sentence to coerce cooperation. As we have seen, the government had an opportunity to indict Rosenberg for wide-ranging spy activities over a period of at least seven years. However, concentrating on activities after 1946 might have made it necessary to indict them under less draconian legislation which in 1946 superseded the Espionage Act. The case presented in court concentrated almost entirely on the events of 1944–45, the atomic spying. But even under the Espionage Act, in order to guarantee the death sentence it would be necessary to prove that important atomic secrets had been lost. Interestingly, the prosecutors met secretly with members of the Atomic Energy Commission and with congressmen on the committee which supervised that agency seeking permission to declassify atomic matters likely to be discussed in the forthcoming trial. In those meetings AEC and Congress were privately told that the prosecution would seek the death

sentence, that proof that Rosenberg had disclosed important secrets was important to that end, and that the death sentence was necessary to obtain expected confessions. As Radosh discovered, there was even the concession in those conversations that the case against Ethel was very weak. Indeed the prosecutor worried privately that news of these improper conversations would leak someday and provide a pretext for a legal challenge to the sentence. The usefulness of the death penalty was also widely discussed within the FBI, and at first J. Edgar Hoover opposed executing Ethel, presciently fearing adverse public reaction. Clearly, then, the strategy of tormenting the Rosenbergs into cooperation was widely approved at many levels of government.

The final decision to sentence them to death, of course, was that of Judge Irving Kaufman, who cannot have been unaware of this tactical climate. He insisted grandiosely at the time, and in elaborate self-defense over the years, that he made the decision entirely alone, without seeking even the customary advice of the prosecution. That proclamation simply cannot survive a reading of Radosh's book. No one has suggested that Kaufman was crassly ordered to impose the death

sentence; the documents show that the government was uncertain about his final verdict until they heard it. But they knew their man. To Kaufman, apparently, the issue was not even the importance of the secrets supplied, but rather the enormity of the betrayal he perceived. His ridiculous claim at the sentencing, that the Rosenbergs were somehow responsible for the Korean War, suggests a degree of emotion which would make him entirely susceptible to the climate.

The Rosenberg's Own Role

HOWEVER, the story of the execution is not complete until we consider a final and indispensable element, which is the role of the Rosenbergs themselves in their own execution. The rules of the game which was being played were clear: if they had confessed to what, after all, they had done (if you believe in their guilt), their lives (the lives of their children's parents) would have been spared. Consider the available roads not taken. They could have confessed to the entire truth of their activities and perhaps given the speech those who adore them as "martyrs" must yearn to hear, even as they still fear its frank utterance: we are Communists, yes Stalinists, and proud of it—and, in our idealistic fashion, Americans, who acted on our ideals to help our beloved Soviet Union, whose security could only serve America's highest interests. Martyrs should face death with the truth on their lips, not lies. Or, they could have given that speech and confessed to their own activities but refused, Lillian Hellman fashion, to implicate others. Or, Julius could have separated the matter of Ethel's complicity from that of his own, stressing the paucity of evidence against her, coupling that, perhaps, with his own, complete or even partial confession.

However, these scenarios assume lesser transgressions, incidental spying. If Julius was the spy which I think history has reason to think he was, it is difficult to imagine how he could have confessed in any but comprehensive fashion, and a complete confession about all he knew and did would have been a betrayal of what seems to have been his most prized self-image, which was as a Soviet spy. The government would have given

him no rest if he withheld much that he clearly knew. Nor would Ethel have been free of their hectoring, for clearly she knew all about the spying from her garrulous husband even if she did not participate widely in it herself.

Instead, the Rosenbergs did what the Soviets would have wanted them to do, what Rebecca West once said they ordered them to do, which was to play this cosmic game of chicken to the hilt. They and their followers would proclaim their innocence and purity to the high heavens, daring the state to either back down and confess to the huge injustice it had committed, or verify their characterizations. In jail Ethel and Julius helped initiate and perpetuate a movement which would become worldwide, and which is



now being revived in their fortieth anniversary year, vilifying America for knowingly killing innocent people, simple idealists. Very soon, the charge of anti-Semitism was added, and the American government likened to Nazi Germany. To many in that movement, and I think to the Rosenbergs themselves, the execution of the Rosenbergs had become essential, if only for its power to silence those who might quibble that they were not, after all, entirely innocent of the espionage charge. It was essential, moreover, for its living (dying) proof that the American system was as described, an incipient fascist tyranny.

What the Rosenbergs themselves were thinking is clear from the propagandistic letters they wrote each other, obviously for publication. The People were on the march, they said,

and would not permit their death. Like Tom Mooney, two years on death row, and like the fabled Scottsboro Boys, they would be spared by a mass movement and finally released. They were victims of a pogrom like Jewish martyrs of old. (The letters were silent on the contemporaneous real anti-Semitic murders in Communist Czechoslovakia.) Clearly there were and are many ardent supporters of the Rosenbergs who desperately wanted them saved from execution and who supported and continue to support the political wisdom of frenetic (and brilliant) last-second legal appeals on their behalf. But those were appeals for clemency, not proclamations of innocence. In that sense, they were concessions to the government's charges. The Party types in the leadership of the movement to save the Rosenbergs shunned or discouraged such legal niceties, which might have saved them for a protracted life in jail where at any time they might talk. As Albert Einstein said at the time: the real Communists wanted them dead; and many people today still do, or to put the matter more charitably, want them alive only on their own absolutist terms.

This writer, for one, wishes that the government had never begun this deadly game, enlisting the courts, and in a way the entire nation, in its efforts to gain information. By the end, both sides were playing a cosmic game of chicken. For all their monitoring of the Rosenbergs for signs of weakness, people in a position to stop the execution must have known toward the end that they would never break. In turning down Ethel's emotional appeals, Eisenhower said repeatedly that we could not appear weak. By then he—and Hoover, who had changed his mind about executing her—were convinced that she was the stronger of the two, the leader. And the Supreme Court, in hastily rejecting a very interesting and possibly substantial last-second appeal, seems to have been swept up in the same emotions. If the metaphor of a game is apt, it might be said that the Rosenbergs won: they did not break, and their death continues to work for their cause.

All in all, then, not a particularly admirable moment in our past. But it was not at all what the perennial celebrants of this grim anniversary have made it seem. □



THE VICE PRESIDENT
WASHINGTON

June 24, 1993

Dear Rusty,

Remember two weeks ago when I said our Administration had finally turned a corner? Well, guess what? We turned another one! The more corners we turn, the better things get. If this keeps up, Tipper will have to scrap her plans for me to run for the top job in '96. That'll mean about \$700 that we lose in motel-room deposits at the Manchester, New Hampshire, Quality Inn, but it's probably worth it.

The good news keeps getting better. First off, we nominated a super lady to the Supreme Court, Ruth Bader Ginsburg. And do you want to know the greatest thing? She's an ethnic female! Since the Lani Guinier thing hit the fan, we've been pretty hard pressed to respond to minority groups when they complain about representation in our Administration. Just last week, the Congressional Black Caucus met with me and Bill in the Oval Office—and boy, were they mad.

Kweisi Mfume really took us to task. He accused Bill of abandoning his campaign promises for political reasons. Bill just kind of nodded sheepishly. Sometimes Bill is a little too passive.

"Kweisi," I chimed in, "you know that's not true. Our African American representation is higher than in any previous Administration. I mean, be fair. We've got three African American Cabinet secretaries."

"Three?" Mfume asked. "Count 'em."

"Fine," I said, firmly. It was time someone stood up for the biodiversity of the Clinton-Gore Administration. I ticked them off on my fingers: "Ron Brown, one. Mike Espy, two. Hazel O'Leary, three."

"Wait a minute," Mfume interrupted. "Hazel O'Leary? She's black?"

"She's African American, if that's what you mean," I replied.

"She is?" asked Ron Dellums.

"I think so. Bill?" I said.

We all looked at Bill. Only he could solve this. He's great at keeping all those numbers in his head.

"Secretary O'Leary defines herself as an African American," he said. "But I chose her to be Secretary of Energy because of her experience as a vice president of a small Midwestern utility. So her ethnicity is, to me, totally irrelevant."

"Totally," I agreed.

"Completely," Bill added.

I turned to Mfume. "So that makes three."

"But who's counting?" added Bill.

"Not me," I said.

A few days after the meeting, Bill met with Ruth Ginsburg, and I heard through the grapevine that he

was leaning toward nominating her. Just between you and me, Rusty, that pushed my panic button.

I don't know whether you remember it or not, but a while back Reagan nominated a Judge Ginsburg to the Supreme Court, and that nomination went down the drain pretty fast when people found out that he had smoked pot—at Harvard, of all places!—not just once like Bill but several times. With our luck, this Judge Ginsburg would turn out to be that Judge Ginsburg's wife or mother and it would turn out that they had all smoked pot together in one of those places in Harvard Square that serve pita bread and hummus. I could just see the headlines in the Washington Times. I mean, we don't have the greatest track record when it comes to screening nominees.

So the second I heard that the Judge and Bill were meeting in the West Wing, I dashed over there to check her out for myself. I can safely say that I'm pretty sure she's not a pot smoker. And it turns out she's not related to the other Ginsburg at all. When I asked Marla Romash, my domestic-policy coordinator, she told me it's a pretty common last name.

"Not in Tennessee," I said.

Either way, the Ginsburg choice was a hit, which gave us some much-needed breathing space. And I, for one, needed it. I'll be totally honest, Rusty: about six months ago, HRC and I cooked up a plan for me to reinvent government, streamline it, trim the fat, and wrestle the bureaucracy—all in six months! My time's almost up and, to be frank, I'm not quite finished with the reinventing. Luckily for me, HRC's taking a few extra months to reinvent health care, so I'm not sure anyone is going to get too worked up about my taking a few extra months to reinvent government. In fact, HRC is getting a lot of flak from the right-wing press for her delays in announcing her program. I know it's not very gentlemanly, but I keep hoping they won't notice it when my deadline passes.

At least I'm trying. At this point in his Administration, Dan Quayle had only 33 staff members. I have 57. If that doesn't show a commitment to reinvent government, then I don't deserve to be Vice President!

Take care, Al

P.S. We're planning a Biodiversity Summit for July! Details to follow.

BOOKS, ARTS & MANNERS

The Pleasure of His Company

HADLEY ARKES

ARISTOTLE registered his own, serious doubts, in the *Nicomachean Ethics*, that people could have sex and think at the same time. To put it another way, he doubted that people in the throes of sexual pleasure would be much inclined to a demanding, philosophic reflection. Part of the genius of Allan Bloom lay in his art of summoning his students to the understanding of Socrates, that the philosophic life was indeed the most erotic, because it was the most comprehensive. It would understand the precise place and ends of eros because it sought to understand the end of all things. Socrates himself claimed to be an expert in the science of erotics, and he claimed also to possess, in the highest degree, the political art. Bloom would move in the path of Socrates and join the same arts: he would seek to restore the concern for eros to a central place in the study of politics and philosophy.

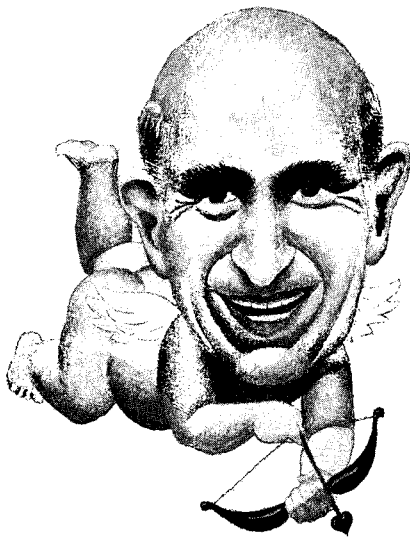
That project amply suited his temper, in running against his own times. In the politics founded on the thought of Hobbes and Locke, political life

***Love & Friendship*, by Allan Bloom
(Simon & Schuster, 590 pp., \$25)**

would find its center in the concern for property, for self-preservation and the securing of rights. Bloom had the wit to recall, and the imagination to expound, an older understanding, which could begin with things even more elementary and compelling: political life could find its beginning, after all, in a concern for the way in which new lives are generated. It could begin with those connections in sentiment and law that are utterly necessary in constituting families, bringing forth children, and coining new citizens.

But the *polis* was also the invention of the Greeks, and the *polis* offered a radical possibility for breaking the bonds of the family. It sought to constitute forms of authority removed from the blood ties of the family, and it confirmed the possibilities for an erotic life outside the family. Bloom

found, in the dialogues of Plato, the reflection of a time and place in which men swept beyond the limits of convention and law in assaying the experience of sex and exploring, as he says,



Chris Miles

the reach of their own individuality. It was a way of life notably removed from the way of life portrayed in the Bible and prescribed by Jewish law. In short, he was moved by these questions beyond the horizon of his own time, and he found himself suspended, enduringly, between Athens and Jerusalem.

A project of this kind, formed into a life's work, required the deepest resources of his urbanity, and it required, as he would say, a full-blooded character. Not someone who was prissy or crimped, but at the same

time, not someone who was vulgar or unmodulated. The task required the kind of writer and speaker who could move between the sublime and the prosaic; from the texts of Plato to the shtick of a Catskills comic. He had to be part Socrates, part Rousseau, part Falstaff, part Myron Cohen spinning out a Jewish joke. To read him in this, his last work, is to hear his voice in the pages. "On television schoolchildren tell us about how they will now use condoms in their contacts—I was about to say adventures, but that would be overstating their significance." The current talk about sex is carried out, he says, "coolly and without any remains of the old puritanical shame":

The sexual talk of our times is about how to get greater bodily satisfaction or increasingly how to protect ourselves from one another. The old view was that delicacy of language was part of the nature, the sacred nature, of eros, and that to speak about it in any other way would be to misunderstand it. What has disappeared is the risk and the hope of human connectedness embedded in eros.

The friends of Allan Bloom will read these words and quickly fill out the rounded portrait of the man they knew—the jousting wit, the self-mockery, the dapper suit, the expensive cigar. I can still hear him, after his book *The Closing of the American Mind* had made a success—and, for Allan, a fortune—that no one had anticipated. "You know how they used to say, 'If you're so smart, why aren't you rich?' I can now tell them: 'I'm rich.'" He admitted to the romance of business and medicine, but he could now say, with the authority of experience, that "the real money is in the Academy." The wit was unflagging, persistent, and never without purpose. It was used to deride what was base and to praise, with gentle indirection, the things that merited the esteem of the thoughtful.

But the lasting impression was of a man unsinkably joyous even in the presence of his moaning. His friends will hear the words in this book as his last words spoken to them, and many of them will be moved, as I was, to think back to the first words they heard him speak. They will also remember commentaries more shaped and controlled than the essays collected in this book, just before he died. But they will be grateful to have these

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essays, precisely because they can hear his voice in the pages, talking about books he loved. And it is good, disciplined talk, artfully arranged. It moves through a close reading of the texts, drawing the passages that will fill out his design and reach matters of moral consequence. But they are also the concerns that connect to the central questions of political life, questions about the nature of the regime and the laws. And so Bloom could remark of Plato that he did not regard "homosexual inclinations" as so many regard them today, "as simply inborn and therefore not subject to choice, habituation, or education. He knew perfectly well that they flourished in some regimes, . . . and therefore were somehow connected with the fundamental legislation or way of life of such regimes."

With this sense of the problem, Bloom moves through a design that begins with Rousseau and his *Emile*, and proceeds through novels of the Romantic period that were inspired by the teaching of Rousseau. In that vein, he discusses novels by Stendhal, Tolstoy, Jane Austen, and Flaubert. From there he moves to Shakespeare (in separate chapters, *Romeo and Juliet*, *Measure for Measure*, *Troilus and Cressida*, *Winter's Tale*). He does a transition with Falstaff, and some reflections on Montaigne and his absorbing friendship with La Boétie. The book moves to its culmination then with Plato and the *Symposium*. Bloom does not seek to displace the professors of literature. But he fastens on the parts of these works that are not as apt to be seen by other commentators, the parts that come into sight when the book is read with a political imagination. And so, at one fashionable ball, Emma Bovary sees a doddering old man, with a napkin tied round his neck as a bib, dribbling gravy as he eats. He is the aged Duc de Lavardiére, who was said to have been the lover of Marie Antoinette. As Bloom remarks, "others see only a repulsive old man; Emma sees a remnant of the *Ancien Régime* and its grandeur."

Later, in a commentary on *Anna Karenina*, Bloom observes that "both Rousseau and Tolstoy would see something of nature, or if not nature, the divine in the connection between husband and wife that makes it possible for them to be father and mother." Sex may be "natural," but "the children

who are the products of nature and real love lack something that can be provided only by law and its constraints." Still later Bloom draws out the point with a further refinement: "Promiscuous encounters," he declares, "do not produce children"—a startling declaration that seems false on its face. The most thoughtless couplings can certainly generate children—but not, he quickly adds, "the kind who are one's own and who promise immortality to the family name":

It is only within the context of the law that a man can really imagine that the offspring from his loins can people the world. . . . The law that gives names to families and tries to insure their integrity is a kind of unnatural force and endures only as long as does the regime of which it is a part.

This theme, running through the book, marks the connection to everything Bloom has written since he sprang into academic life, at the University of Chicago, as one of the most inspired students of his teacher, Leo Strauss. That thread of connection to Strauss can be seen also in the conviction, both charming and relentless, that the deepest ground of joining, in

love and friendship, can be found in *reason*. Bloom recalls the most elegant disclaimer on this point, from Montaigne, in a memoir of his friendship with La Boétie: "If you press me to tell you why I loved him, I feel that this cannot be expressed, except by answering: 'Because it was he, because it was I.'" Still, Bloom refuses to credit the notion that this remarkable friendship was "not founded on their sharing of reason." The alignment of a common understanding, a shared perception of the truth, offers the substance of a "common good." These things that are shared cannot be material in nature. They must be of the soul. And for Montaigne, as Bloom argues, "reason itself is a kind of passion that can cause irresistible attraction between souls."

BLOOM WAS a pre-eminent student of Leo Strauss, and so he must lend himself, pre-eminent, to a Straussian reading. We must suspect that, along with the explicit argument in the book, there is a subtle teaching held back. Even in the most liberal regimes, there are certain things too impolitic to say in public. And besides, there is a strong tempta-

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tion among Straussians to reserve certain arguments for readers with finer sensitivities. Those readers may be offered certain clues to lead them into the recesses of the argument, and as they pursue these leads, they may be rewarded with the satisfaction of having their intuitions confirmed. In the Straussian code, the innermost teaching will be found somewhere near the exact center of the text. The device has become a parody, and the source of common joshing among the Straussians. Still, because we have been schooled, even in jest, to look for the hidden signs, it has become irresistible to look.

And so the reader tutored in this regimen may notice that, in a work of 551 pages, a rather suggestive passage is placed on page 227. Bloom is describing there the trial of Flaubert, who was prosecuted for his publication of *Madame Bovary*. The authorities charged that the novel contained, in its substance and form, an immoral teaching, and Flaubert sought to meet the charge in a manner that Bloom

regarded as less than candid. Flaubert simply denied that his book was intended to undermine public morals and religion. But in that respect, the prosecution seemed to take his art far more seriously, as a work with a moral teaching, than he was himself willing to acknowledge. Flaubert was more inclined to mute the principle for the sake of getting through the day. As Bloom observed, Flaubert "did not argue for absolute freedom of speech, because that was not yet a universally accepted principle."

Could we take this passage as a mark of anything? Is there an argument in our current politics that Bloom would not join distinctly on its merits, or a principle he would not bring forth quite yet because it was not yet "universally accepted"? Toward the end of the book, when he turns to the *Symposium*, he notes that "Plato begins from the conventional Greek practice of pederasty, which does not mean that he accepted it, but only that he was required to begin from the prejudices of the participants

even though he may very well transcend them." Could it be that, on the matter of homosexuality, Bloom was willing to begin with the prejudices that were dominant among his own readers—prejudices that he would not exactly join and might even transcend? He might transcend them in part by keeping the issue open, as it was kept open by Plato, for the sake of a serious, philosophic probing.

Here I would suggest that we ought to look seriously in these pages for the counsel that Allan Bloom might offer to us now on a problem that vexes our politics. The question of homosexuality has taken a prominence in our law and public life that would not have been anticipated as recently as ten years ago. We seem to be on the threshold of astounding decisions in the courts, which could alter the cast of our laws on sodomy and gay marriage. Those changes would ripple outward, to touch other parts of our law, on families, adoption, even employment, with vast, unsettling effects.

They also mark a turn in our politics

that belies the cliché "It's the economy, stupid." That current line represents the mindless inertia in our public discourse, in which moral questions are branded as "social issues," as though they were peripheral to the main business of our political life. But for the activists in our politics, the heart of the matter has come to involve those issues that are bound up with the culture wars. One way or another, those issues involve sex and the restraints that have traditionally attached to sex. In discussions of the law, they have been summarized in the code word of "privacy": Would the law recede from casting judgments, and enforcing restraints, on contraception, abortion, sodomy? Would the authorities distribute condoms in the schools, or arrange abortions for minors without the consent of their parents?

We have curiously backed ourselves into a state in which the question of eros has indeed become a central question in our politics, and yet we are evidently unprepared to talk about it.

With all of the controversy that has been generated by Gary Hart and Bill Clinton in their escapades with women, no one has found a way of raising the question, in regard to either man, as to whether he was particularly "good" at it. To ask whether he was good at it is to draw us back to the antecedent question of just what marks the nature of goodness in sexual acts: the intensity of sensation, or the understanding that envelops the act? Is it an understanding of technique or an understanding of what it is, in one's partner, that truly merits love and devotion? The members of our political class do not seem to have the faintest notion of how to talk about these questions, mainly because they are far from fathoming, in the first place, just how to raise questions about the end or the purposes of the erotic life.

ON THAT sovereign point, Allan Bloom, suspended between Athens and Jerusalem, may furnish some guidance. But he also appreciated that the question of eros and politics was bound up with the problem of the homoerotic. That problem was always present in the dialogue of the *Symposium*, which he takes as the coda of his book; and so he surely must have understood that his commentary on this matter would be taken as telling or suggestive. That he was finally muted or even reticent in that commentary is not to say that he evaded us as we looked to him for counsel. His circumspection may be taken as part of his teaching. That teaching is affected with notable hedges, with intimations of novel liberties and new licenses, which may be grasped but not readily or decently claimed. By the end, I think there is a teaching, but the reticence and delicacy are no inadvertent parts of the counsel he would offer on this matter of homosexuality as a "public" question.

Bloom's first praise for Plato's writing in the *Symposium* is that he insists on treating the question of eros as a public question. That is, he praises Plato precisely because Plato resists the inclination to shelter these sexual acts behind the screen of "privacy," the liberal formula of our own time. In the name of liberalism, we are asked to avert our eyes and recede from judgment on the things done in



private. But Plato would have the participants "give an account" of themselves, or offer a justification for their versions of the erotic life. Yet, it is part of the fascination in Plato that he may put forth an argument, only to overturn it in the end. And this part of the argument is eventually reversed by Bloom.

The turn is delicately done, in his rendering of Socrates: Socrates once described himself as the one true legislator in Athens, the only one who possessed the true political art. But as Bloom points out, Socratic speech is mainly private speech, and Socrates found his deepest political effect when he removed speech from the public to the private conversation. As Plato had Calicles warn, Socrates would cut a poor figure in the city. And when he was brought before a jury, he would not speak artfully in that public forum. In the *Republic*, Socrates managed a minor victory, in his small circle, but the fruit of the victory was to win the attention of Glaucon. His political success lay in commanding the attention of the one young man who interested him, and then drawing him into a more intimate conversation. As Bloom sums it up, "The political man is interested in individuals as part of the public; Socrates is interested in the public only to the extent that it includes individuals he can separate from it":

That is why it makes sense to call the political man's speech unerotic and the philosopher's erotic. You can only make love to individuals. Socrates's eroticism indicates that his primary activity is always private.

The erotic life will find its proper place, after all, within the discreet shelter of privacy. But this art of Socrates, in combining the cosmic and the prosaic, the universal and the particular, seems to confirm for Bloom the sense that the key to the problem will be supplied by the "erotic philosopher." "The introduction of an erotic philosopher," he says, "bridges the chasm between Eros and philosophy that Aristophanes seems to argue is unbridgeable." Socrates engages in philosophic discourse and retails gossip. He knows of principles and erections, and the engaging mystery is "to figure out how such perverse and promiscuous details have anything to do with the responsibility for knowing the first causes of all things."

This is the ascent that Plato undertakes in the *Symposium*, the ascent that Bloom describes as "the ladder of love": it is the move from the common experience to the peaks; from the prosaic things of daily life to the things that are permanent. It is also the ascent that eventually transcends the question of homosexuality. But not before that question is dramatically opened, as it must be opened, in the collision between philosophy and revelation.

Bloom may be poised between Athens and Jerusalem, but he is aware of their profound differences, especially on the matter of homosexuality. Jewish law unequivocally condemns male homosexuality as an abomination. And it would confine the erotic life stringently to the life of marriage and the sustaining of families. That law is not attended with an "argument," or with an appeal to "nature." It is offered as a command, and it finds its authority in revelation. In contrast, the tradition of Greek philosophy makes its appeal to nature, and nature is not an unequivocal source of law. It may be consulted as a guide to law, but that consultation will often lead into a deliberation about the am-

biguities of nature, and the things of nature that would make any law just or unjust. Homosexuality may be at odds with the family, but so too are philosophy and the *polis* in tension with the family. The conversation in the *Republic* cannot begin until the aged Cephalus excuses himself for the evening. An abrasive testing of arguments may not take place easily in the presence of paternal authority. And as Bloom argues, the polity itself seeks to constitute an authority that may override the claims of the family. Homosexuality would necessarily stand in tension then with the institution of the family, and on that point Bloom offers no illusions. The laws that sustain marriage and families may not be stretched to encompass gay marriage, or to recognize, even in part, the claims for a homosexual life. On this matter, it may be necessary for the laws to preserve a discreet silence.

BUT TO recognize that point is not exactly to say that homosexuality finds no ground in nature. In a passage cloaked as a commentary on Aristophanes, Bloom remarks that "heterosexuals as well as homosexuals, male and female, are all

THE CLINTON COUNTDOWN TO 1997

180 Weeks until Clinton leaves office

August 1993

Comments:
8/19/46: William Jefferson Blythe IV (Bill Clinton) was born...only 3 more of Clinton's Birthdays until Clinton leaves office.
8/19/48: Mary Elizabeth Aischerson (Tipper Gore) was born...only 3 more Tipper Gore Birthdays until Clinton leaves office.

68 Weeks until Clinton leaves office

October 1995

Comments:
10/9/95: Columbus Day (observed)...only 1 more Columbus Day until Clinton leaves office.
10/11/75: Bill Clinton married Hillary Rodham...only 1 more Clinton Anniversary until Clinton leaves office.
10/11/92: During the first Presidential Debate Clinton said "we want to give modest middle class tax relief to restore some fairness, especially to middle class people with families with income under \$60,000."

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doing what is natural and what is appropriate to their peculiar situations." This is not, to put it mildly, a Jewish view. Between the Hebrews and the Greeks there was a subtle but emphatic difference. The Jew was characterized by a steadfast loyalty to the Law; the Greek philosopher was a "skeptical investigator of nature, which does not speak in a clear voice." The experience of the Jew was defined foremost by membership in the family, and "the Greek was defined, on the one hand, by membership in a *polis*, or, on the other hand, by his philosophic individualism." More fetchingly, for Bloom, the Greek way of life offered wider permissions. It allowed a certain disengagement from the confines of the family and a rigid definition of nature. It allowed far more room to venture out, to sample more widely the experience of life, even the varieties of sexual experience, in seeking a knowledge of oneself. When the issue is condensed in this way, there seems to be little doubt: Bloom would stand on the side of the Greeks. And yet, not without a certain piety, or at least a certain reverence for ancient things, and for the sentiments that still bind him to Jerusalem.

As he crystallized matters, "The Jew's primary association and attachment is to mother, father, sister, brother, and, the only outsider, husband or wife. . . . For the Greek, the attachment of all attachments was to the friend." Allan Bloom did not marry; his attachments were, powerfully, to his friends. As Bloom recalls, Socrates married, but the results were not especially happy, with either his wife or his children. His teaching had a certain erotic force, which drew to him the company of "some very attractive young men, although it is not clear he ever had sexual relations with them." Or, if he did, as Bloom said, he could not have taken them all that seriously, for he was more likely to "cleave to the intellectual pleasures, which are more unmixed than the bodily ones, more enduring, and more self-sufficient." Plato described, in the *Symposium*, Alcibiades's campaign to seduce Socrates, and he conveyed the deeper lesson in the dialogue as he portrayed Socrates, turning away from this seduction. Socrates had no disdain for the attractions of the body, and he evidently grasped the way in which qualities of soul are enmeshed

in bodies. But this was precisely where he engaged "the ladder of love" and was drawn on, as Bloom says, to the things that were more permanent. "The soul of Socrates," said Bloom, "is solicited by an order of things of which the soul is a part and which stands above his own soul and that of others."

That is the teaching of Allan Bloom. He drew students to himself by drawing out for them, artfully, the things that were erotic and compelling in political philosophy. The lives they have marked out may be taken as the lives to which they thought they were being recruited by his teaching. Most of them have married, few have divorced. Many of them practice seriously as

Jews or Christians, and even those who do not practice have preserved their reverence. They continue to read, in their middle years, the books they read first with him. They continue to absorb themselves in the questions that engaged him, and they know they share something with their friends that will subsist even as they age, as some of them depart, and find their places taken by others. To rework a line from the Sonnets, Allan Bloom did not make a tomb of his self-love and deny his own posterity. But he contented himself with a different kind of offspring, and as much as any natural children, they will preserve his blessed memory. □

Out of Zion Shall Go Forth . . .

ELLIOTT ABRAMS

BENJAMIN Netanyahu leads the opposition Likud party in Israel and is likely, sooner or later, to become prime minister. This thought strikes terror into many minds in Washington, where the Labor Party has been favored virtually since the day Israel was born; Netanyahu has no shortage of critics at home either.

A Place among the Nations serves to explain and thus to defend Netanyahu, but its more important achievement is to present the case for Israel better than anyone else has done since the 1973 war. This is a

A Place among the Nations, by Benjamin Netanyahu (Morrow, 467 pp., \$24.95)

masterly piece of political writing, with personal anecdotes, historical allusions, maps, data, and argument combining to form a powerful and immensely readable statement. Those who remember Netanyahu from appearances on television during his assignments at Israel's embassies in Washington and at the United Nations, or during the Gulf War, will find here the same absolute grasp of the American idiom, the same self-confidence, and the same energy.

Mr. Abrams, whose Undue Process was recently published by Free Press, is a senior fellow at the Hudson Institute.

For Netanyahu, Israel's situation is crystal clear. "The Arab campaign against Israel is . . . rooted not in a negotiable grievance but in a basic opposition to the very existence of Jewish sovereignty." To crush Israel militarily was the Arab goal before the Six Day War in 1967, but now her expanded borders make her too tough a target. "It became clear to the Arabs that Israel could not be crushed in one swift blow. If they were to excise Israel from their midst, they now realized, Israel would first have to be territorially reduced—to the starting conditions of the Six Day War." And the Arabs saw they could not achieve this goal militarily: "they could attain it only if the West, especially the United States, applied overwhelming political pressure on Israel."

Thus the intense efforts to force Israel to get off the "West Bank" and accept a Palestinian state there. Thus the assertions, which he demolishes, that all would be peaceful in the Middle East if only the "Palestinian problem" were settled.

Having reduced all Middle East turbulence to the Arab-Israeli conflict, having reduced that to the Palestinian-Jewish dispute, and having reduced all Palestinians to the PLO, the Americans and the West were now to be asked to accept the last link in the chain: the PLO was to be shown as the party of compromise and peace, Israel as the obstacle resisting peace. America would then respond by

engaging the "moderate" PLO and pressuring the "intransigent" Israelis.

If this tack seems unlikely to work, Netanyahu reminds us there is a precedent here: the British, the very authors, after all, of the Balfour Declaration, soon began appeasing the more radical Palestinian factions in an effort to buy peace in the Holy Land. The perimeter of the homeland promised to the Jews collapsed time after time under Arab pressure and violence, until the State of Israel was born within borders comprising 15 percent of the mandatory territory.

Moreover, Netanyahu draws a chilling analogy with British and French pressure on Czechoslovakia to give up the Sudetenland in 1938. Little attention was paid to the fact that Czechoslovakia's defenses were all *in* the Sudetenland. It was accepted that Sudeten Germans were a separate people who deserved the right of self-determination, and that Czechoslovakia's resistance was the true cause of the problem. Netanyahu quotes a London *Times* editorial from 1938: "It might be worthwhile for the Czechoslovak government to consider whether they should exclude altogether . . . making Czechoslovakia a more homogeneous state by the secession of that fringe of populations who are contiguous to the nation with which they are united by race. The advantages to Czechoslovakia of becoming a homogeneous state might conceivably outweigh the obvious disadvantages of losing the Sudeten German district." One can read these same arguments in the *New York Times* today, directed toward Israel.

But Netanyahu says Israel must never "give back the West Bank." The very name is to him a lie, whose history he traces to the Jordanian seizure of this part of mandatory Palestine in 1948. Judea and Samaria are, he says, not some strange and foreign land seized by Israel, but "the very heart of the land, in which virtually every event of importance in pre-exilic Jewish history took place."

Perhaps more important is the simple military fact: Israel without the West Bank, he writes, is indefensible. It is partly the strategic depth this land gives: he recalls how his military unit would *run* from one side of the country to the other, just ten miles until 1967, to keep in shape. And then

there is geography: the Judean and Samaritan mountains.

To an invader from the east, this range is an extraordinary obstacle . . . Such an invader enters the West Bank in the Jordan River Valley, which is the lowest point on earth, more than a thousand feet below sea level. He then has to fight his way up a cliff face that rises a daunting three to four thousand feet within a space of seven to nine miles. This is terrain that . . . is virtually impassable to tanks and other heavy equipment. No amount of electronic gadgetry can replace a stone wall thousands of feet high as an obstacle to war.

Similarly, Netanyahu views the Golan Heights as essential for defending Israel, although the Gaza Strip has no such military value.

This is an uncompromising argument, put forward absolutely without apology by a leader who believes his country's very survival hangs in the balance. He does not oppose negotiations for Palestinian autonomy in Gaza or the West Bank, and would allow local self-government, including control of commerce, education, religious affairs, and health, for Arab population centers while Israel maintained sovereignty over the territory. Expecting the argument that this is an inadequate level of self-rule, Netanyahu wryly notes that this plan "would constitute the largest-scale experiment with democracy ever conducted in the Arab world."

While democracies live in peace and can negotiate mutual concessions, Netanyahu argues that Israeli concessions to despotic Arab states are a certain road to weakness and to war. But his formula for Israeli survival only begins here. Critical is a profound internal reform within Israel, ending her old romance with socialism. He is sharply critical of the Likud governments he served for rewarding followers with posts in the huge Israeli bureaucracy rather than killing it off. He casts himself as an Israeli version of Mexico's president, Carlos Salinas de Gortari, someone who would change the economy root and branch.

A robust economy is essential for Israel's survival, because Jews will not return to Zion if there is no work for

them there. Israel requires the return of millions of diaspora Jews from all over the world, he argues, to double its current population of about five million. Ten million citizens, he believes, will provide a better economic and military base and will prevent Arab numerical hegemony even if Israel keeps the West Bank. "The key to Israel's future, the solution to its demographic problem, is the continuing influx of Jews to Israel."

It is here that Netanyahu will begin to make some Jewish readers edgy. For he has absolutely no use for the diaspora; indeed it is not going too far to say he has contempt for it, commenting on the "habits of passivity and submissiveness" Jews have

learned over centuries of life outside Zion. "The Jewish state gives Jews the one place on earth that they can truly call home without embarrassment or fear." As for American Jews, "there are, of course, quite a few Jews who feel at home in America as well, but a few sharp incidents of anti-Semitism may deprive them

of this sense of security."

Netanyahu's attitude toward the diaspora is more easily comprehensible in view of the tremendously striking absence in this book of God and Judaism. For Netanyahu, it is implicit that Jewish life centers on Israel and will live or die with *her*. It does not center on faith and observance. He seems almost oblivious to the most compelling argument: if the American Jewish community is doomed, it is not by anti-Semitism; if its future is bleak, this is the result of assimilation and loss of faith in God. This ought to matter to Netanyahu, if only tactically: assimilated communities are unlikely sources for immigration to Israel. Thus he might be expected to favor Jewish religiousness, at least in the diaspora and at least until the day comes for moving to Israel. Once there, he seems to believe, Jews have little need of religion. They are Jews, and their children will be Jews, forever.

For religious Jews, Netanyahu's argument is almost sacrilegious. Did the God of Israel re-establish the Land of Israel so that Jews could settle there



and then forget Him? And if the Jewish people do forget Him, will they survive? These questions do not arise in, although they are raised by, *A Place among the Nations*. Perhaps Netanyahu's quarrels with the ultra-Orthodox in Israel have soured him; perhaps it is a matter of personal faith or the lack of it; and perhaps he simply felt this book would persuade more people if he stayed with history, military affairs, and politics,

and kept away from religion entirely.

What he has written is a brilliant piece of argumentation that can also serve as a campaign platform. He will not quiet the worries of his political enemies in Israel or his critics in Washington. He will in fact deepen them. For *A Place among the Nations* shows that the man who is almost certain to be Israel's future leader is as tough, as sharp, and as eloquent as they fear. And then some. □

Middle Man

CAROL IANNONE

OVER the past few years conservatives have succeeded in making the case against the liberal policies that have done so much damage to our culture since the Sixties, especially in the areas of social programs, education, and the arts, and it is clear now that this is something for which they will never be forgiven. So far from being praised for contributing to the solution, these critics are now being characterized as part of the problem, even as the cogency of their analysis is on some levels being ac-

***Race Matters*, by Cornel West (Beacon, 105 pp., \$15)**

knowledgeable. As was first noted in *NR* ("Dead Center: The Myth of the Middle," by Terry Teachout, Nov. 2, 1992) and subsequently in other journals, the latest development in the culture wars is the rise of the "centrist" position that purports to reject the extremes of both Left and Right. Now the *New York Times* has enshrined this new center in an article by Michiko Kakutani in which she deplores "the growing polarization of American society" due to "our tendency to see everything in terms of either-or, all-or-nothing, left-or-right."

It seems no coincidence that this principled repudiation of either-or, all-or-nothing, left-or-right is flourishing as the failure of the *Left* grows more spectacular every day. "To give Mr. Clinton or any public figure a simple thumbs up or thumbs down flattens

out the ambiguities of politics and history," writes Miss Kakutani in the centrist mode, "turning the chiaroscuro of real life into a comic book's primary colors." Where was this delicious feel for subtlety, shade, and nuance in the encounter with history during the 12 years of Reagan-Bush?

At any rate, in keeping with the rejection of primary colors, Miss Kakutani offers a list of "books that make a case for shades of grey," among them *Race Matters*, by Cornel West, grandson of a Baptist minister and professor of religion and director of Afro-American Studies at Princeton. The oracular essays that make up this slim volume contain little by way of rigorous analysis, but they do offer comfort to those who would rather jump off the Brooklyn Bridge than acknowledge the failure of liberalism or give credit to a conservative. Miss Kakutani commends West's effort toward, in her words, "a mode of critical exchange that would move beyond dogmatic pronouncements and supremacist ideologies," and she cites his use of jazz as a metaphor to advance instead the idea of "conflict among diverse groupings that reach a dynamic consensus subject to questioning and criticism," as he puts it.

Miss Kakutani claims that this kind of approach promotes the possibility of consensus, but the opposite is true. Once the airy metaphors have been floated, and the tangled prose combed

through, we see that the centrist synthesis is often gained at the price of fairness and truth. Take for example West's discussion of black-Jewish relations. He denounces not only black anti-Semitism, but along with it, "Jewish anti-black racism," perceived in "Jewish neoconservatism" and its "resistance to affirmative action and government spending on social programs." While a centrist such as West cannot be bothered actually to examine the arguments of "some Jews" who question the efficacy of affirmative action and public assistance, he allows the inference to stand that opposition to these policies can be more or less legitimately perceived as racism. Doesn't that sound like a certain two-word term for the imposition of left-wing orthodoxy through vilification and namecalling? (Hint: the first word begins with *p* and the second with *c*.) What happened to that prized jazz metaphor, with its "conflict among diverse groupings that reach a dynamic consensus subject to questioning and criticism"?



How out of touch with reality is this Ivy League intellectual! Does West imagine that the Crown Heights rioters were maddened by reading *Commentary*? And how out of touch with history! West cannot fathom the paradox that black anti-Semitism is more often aimed at liberal Jews, who have been active in the civil-rights movement from the beginning. And even his denunciation of

black anti-Semitism is blunted by his characterization of it as a function of poverty, powerlessness, and low self-esteem among blacks. "Without some redistribution of wealth and power," West writes, "downward mobility and debilitating poverty will continue to drive people into desperate channels." This has the effect of justifying anti-Semitism, seeing it as understandable as long as there is poverty and inequality, in other words, until the end of time.

West adopts the same sort of approach to almost every issue, taking with the left hand what he seems to grant with the right. He claims that his "aim is not to provide excuses for

Miss Iannone teaches writing and literature at NYU's Gallatin Division, and is a consulting editor at Academic Questions.

black behavior or to absolve blacks of personal responsibility," but his real emphasis is on "the crucial structural features of the black-poor situation," as well as the deleterious effects of "corporate market institutions," "cost-benefit analyses," "the culture of consumerism," the history of discrimination, and the problem of "self-contempt and self-hatred" among blacks. His idea of relief ranges toward "more progressive solutions to the larger problems of social injustice and class inequality." With a Center like this, who needs a Left?

One of West's main arguments is that poor blacks bear the heaviest brunt of our "cultural chaos." About this he is certainly not wrong, but he is wrong to keep resisting how much this chaos is rooted in modern liberalism. And he is wrong to cling to politics as the solution. Like our First Lady with her new "politics of meaning," West has a "politics of conversion," which is basically about the promotion of self-worth among a "downtrodden people." West may be right that "a universal love ethic" is a means to transcendence, but he is wrong to define that ethic politically, linking it, say, to "political resistance in one's community." (The kingdom of Heaven cometh not with resistance.) Both Mrs. Clinton and Mr. West sound like last-gasp leftists who cannot relinquish a political conception of life even as they reach its limits.

Their attachment to a political framework, however, does more for them than it does for the people they would help. West's emphasis on poor blacks as "a downtrodden and degraded people with limited options" seems guaranteed to ensure their continued failure, even as he tries to puff them up with talk of self-esteem. About what can actually be done for poor blacks on the political level—stringent law enforcement and the imposition of strict discipline and high standards in the schools—West says nothing. And there's the rub. When thinkers like Cornel West and Hillary Clinton speak of individual responsibility they seem to mean it only within the theoretical structures they set up. Leaving people in charge of their own lives denies liberals the sense of control and the thrill of righteousness they crave. The political habit dies hard, and this phony center is in no mood to kick it. □

FILM

Technology Triumphant

JOHN SIMON

FRANKLY, I don't give a damn about dinosaurs, perhaps because I'm one myself. But next to swapping baseball cards, nothing seems to me as bootless as becoming a dinosaur maven. For a layman, that is; savants are free to mix it up with the giant saurians. I thrill to a Lexus or Volvo, but for a brace of Velociraptors or a prime Tyrannosaurus Rex I reckon not. Which is not to say that one cannot marvel at Steven Spielberg's *Jurassic Park* for its conspicuous technical achievements; but I agree with Orson Welles's remark, "The directors I admire most are the least technical ones."

People who read such books inform me that Michael Crichton's novel *Jurassic Park* is much tougher and tauter than the screenplay, even though Crichton himself collaborated on it with David Koepp. The problem is not with the high-stepping lizards, but with the human lowlifes, whom Spielberg chronically edulcorates. The two most repellent characters in the story—Hammond, the venal owner of the theme park, and Nedry, the corrupt employee who sabotages it—are both turned into clowns of one sort or another. What I imagine to be one of the novel's points—that modern man is as feral as any prehistoric predator—is promptly lost.

Has there ever been a director as unable as Spielberg to tackle the relationships of grown human beings? His characters are by preference children, and true relationships are formed with sharks or extraterrestrials. I am, of course, speaking of his successes; in his fiascos, he has tried to deal with men and women—with paltry results. He reminds me of those artists who never quite managed to draw the human figure, and sought refuge in abstraction or dribbles. But whereas the abstract painter can avoid what he cannot handle, Spielberg is obliged to

include human beings in his movies and the result is oversimplification, abstraction, cliché.

Hammond, the avuncular entrepreneur whose technocrats have recreated the dinosaurs from their blood preserved in mosquitoes, in turn preserved in amber, has erected his theme park on an island off Costa Rica. He flies in a trio of scientists to preview and endorse his enterprise: Grant, a paleontologist; Ellie, his girlfriend, a paleobotanist; and Ian Malcolm, a mathematician specializing in chaos theory, whose presence is less logical, but allows for sardonic commentary. And there is also a lawyer, who serves as the butt of anti-lawyer jokes that dependably elicit enthusiastic audience empathy.

The appointments for the park staff are downright sybaritic, whereas visitors are conveyed through the park in safari-style vehicles along programmed trajectories. The great beasts are kept safely sequestered behind electrically charged fences; computerized surveillance from the control center guarantees smooth traversal. Oddly enough, though, it is possible to step out of the vehicles and so invite trouble. Trouble reciprocates in spades when a double-dealing overseer causes an electrical outage, and the freed megamonsters expand their gastronomic horizon from steers and goats to human flesh.

The real problem with Spielberg is that, for all his technical cleverness, he keeps falling back on the same tricks. If in *Jaws* it was effective to start with someone being devoured by an invisible killer, that's the way to begin *Jurassic Park*; if in *Close Encounters of the Third Kind* it proved impressive to pan across a row of awestruck faces gazing at a phenomenon withheld from the camera for as long as possible, that shot goes straight into the new film. And once more John Williams has written redundantly overexplanatory background music that refuses to stay in the background.



Mr. Simon, NR's film critic, is also theater critic for New York magazine.

Again, take the two adorable, blond, picture-perfect (i.e., picture-book, not just movie-perfect) children in the film. They get variously chased and roughed up by ravening dinosaurs, but neither of them—even after a rather severe electric shock—incurs serious damage. The only people who get eaten are two blacks, one lawyer, and one Englishman, none of whom the core audience feels overwhelmingly kin to. One of them—the lawyer—is roundly cheered when, ignominiously hiding in an outhouse, he becomes Tyrannosaurus fodder.

Needless to say, acting in such a movie consists mostly of reacting. Sam Neill, a good actor, dwindles as Grant to the stature of a B-movie hero; Richard Attenborough, the last word in sanitized heavies, bumbles all too benightedly as Hammond; Laura Dern, as the palest of paleobotanists, displays those elongated features of hers that should make any saurian cozy up to her amorously. Jeff Goldblum injects some genuine chaos as the mathematician, but does not look like an Ian Malcolm. The show is obviously stolen by the dinosaurs, who take to computerized acting far better than such fine human performers as Samuel L. Jackson and Bob Peck, reduced to similar robotics.

The screen brims over with *Jurassic Park* artifacts that should be available at your neighborhood stores and, unlike the book, ends with the prehistoric protagonist, T. Rex, merrily multiplying in preparation for the sequel. My own wish is that, like other Model Ts, he may soon find his proper habitat in a junkyard.

■ “Lives there a body so myopic / To put his faith in a biopic?” If I were a

rock lyric-writer and if *myopic* and *biopic* rhymed, this is how I’d start my review of *What’s Love Got to Do with It*, a seven-word title in search of a question mark. I guess the absence of that desiderated question mark is meant to alert us to this being no highfalutin film observing the rules of honky usage, but the funky lowdown on the low-down, raunchy Ike and Tina Turner, no punctuation attached, and no punches pulled.

Of course, it isn’t. Still, there are now several sides to the story. There is the book *I, Tina*, as told by Tina Turner to Kurt Loder, in which, for example, Ike stubs out his cigarette on Tina’s lips. Then there is the Ike Turner recension, to be found in the pages of *Vanity Fair*: “I didn’t hit her any more than you been hit by your guy!” Finally, there is the Disney version, the new movie with a screenplay by Kate Lanier, vaguely based on *I, Tina*. Here Tina falls instantly in love with Ike (instead of first getting pregnant by one of his band members), endures rape and beatings by Ike during their marriage (but no scalding coffee tossed in her face), and is saved eventually by her conversion to Buddhism, though what reiterating a Buddhist chant has to do with summoning up the nerve to walk out on Ike remains, like so much else, unclear.

Personally, I have scant use for rock ’n’ roll, and have caught Tina, Ike, and the Ikettes only a couple of times on TV. But I am willing to believe that the movie has every bit as much surface authenticity as *Jurassic Park*. Those prancing human dynamos look as real as Spielberg’s dinos, and they certainly move with the same awe-inspiring dynamism. The songs, too, are there in profusion, as recorded or re-recorded by Mrs. Turner, and Angela Bassett—sexy woman, fine actress, zealous impersonator—does a terrific job of dancing, lip-synching, and impersonating. She may be better-looking than the real-life Tina Turner, but that hardly hurts.

As Ike, Larry Fishburne—who, for this picture, became Laurence Fishburne—does a bang-up job acting, making makebelieve music, and banging up his patiently suffering Trilby. Why did he change his name? If Laurence Olivier eventually became Larry to his fans, the Disney people may have deemed the reverse itinerary equally prestigious. Good as Angela

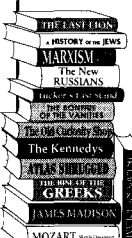
Bassett is, Fishburne may be even more riveting, and though the movie does not stint on his lesser offenses—womanizing, wife-beating, coke-snorting—it considerably avoids those that landed the real-life Ike in jail.

Kate Lanier was probably the ideal choice for screenwriter. A black Vassar graduate who studied writing and theater, she became an actress and sold three *other* screenplays to Hollywood, whither she soon moved, winning several awards for her starring role in *That Burning Question*, which I somehow managed to miss. Doug Chapin, coproducer of *What’s Love Got to Do with It*, explains that Tina Turner is at once “powerful, sexual, and motherly,” which, as he quaintly puts it, “Begg the question, ‘What happened that made her this way?’” Miss Lanier duly delivered the properly question-begging (and question-mark-begging) script, matching Mr. Chapin’s literacy with her own: “We really clicked on the idea that Tina’s story is like a heroic myth.” And who doesn’t know that a myth is as good as a mile?

There are incidental pleasures in this movie version as it evolved from Tina to Kurt to Kate to Walt (who is surely no more dead than Elvis). Alas, the best scene is right at the beginning, when little Anna Mae Bullock (Tina as a tot) is thrown out of church choir practice by the choirmistress for her uncontrolled gyrations during hymn-singing. Young Anna Mae is played delectably by Rae’ven Kelly (could that thing between the *e* and the *v* be the fugitive question mark disguised as an apostrophe?), and when the big church door closes behind that teeny figure, Brian Gibson, the British director, catches something primordial, as he does sporadically later on as well.

Personally, I would have enjoyed seeing Tina’s current life in Cologne with her lover of six years, Erwin Bach, the managing director of EMI records in Germany. But that may come in the sequel, which, like *Jurassic Park*, Tina may yet garner. *What’s Love Got to Do with It* has much in common with the dinosaur movie, not least its music director’s revelation about the editing or stretching of the musical numbers with “digital technology never before used on a movie set.” So cheer up: art may be languishing in Hollywood, but technology bravely marches on. □

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Polyphony and Forward

RALPH ROBERT TOLEDANO

IN A SETTING of the *Psalmes Davids*, 26 psalms in German translation, Heinrich Schütz advises musicians "not to hurry the beat" and to "adhere to a moderate tempo." Otherwise, he warned, "there will ensue a most unpleasant harmony, all too like a *battaglia di mosche*"—a battle of flies. The bit of humor was typical, as was the advice. For Schütz was not merely the first great German composer, writing more powerfully and vibrantly than anyone before or after him until Bach dominated German music a century later. He was a bridge between Renaissance polyphony and his own development of the Italian baroque style. The *Psalmes Davids*, the finest of his extant works, lives up to the surprisingly moving remark by Virgil Thomson, that Schütz's setting of verbal texts was "heartbreakingly meaningful." This is eminently true in the lucid and faithful reading by the Kammerchor Stuttgart and the Musica Fiata Köln, directed by Frieder Bernius (Sony Classical SK 48042).

Nicolas Gombert (c. 1495–c. 1560) is hardly mentioned in the "encyclopedias" of music. Yet he has been considered one of the greatest composers of church music, whose magnificently euphonious and fervently religious compositions were the culmination of Franco-Flemish polyphony. In this, and in his innovations, he went beyond his teacher, the still-famous Josquin des Prés. *Music from the Court of Charles V* is a beautiful sampling of his work, both religious and secular, in Latin and French. A *Magnificat* and a *Missa Tempore Paschali* are marked by that quiet transcendental spirit characteristic of the voice of Toledo. Gombert went beyond Josquin by disentangling the textual from the polyphonic lines, giving his utterance a simpler beauty—and this is underscored in the voices and instruments of the Huelgas Ensemble, whose performance is richly commensurate with the music (Sony Classical SK 48249).

In *Airs de Cour: French Court Music of the XVII Century*, you will hear Marie Claude Vallin and Max van Egmond singing the old songs of love requited and unrequited. Her voice is pure and unencumbered by vibrato, as these songs call for, but Egmond's baritone is sometimes a little heavy. For me, however, the interludes by lutanist Lutz Kirchhof are the most appealing aspect of this recording. The lute is a wonderfully eloquent instrument, and one that should be brought back. Kirchhof is an utter delight (Sony Classical SK 48250).

Now leap forward three hundred years to the American musical comedy and one of its finest exponents, Richard Rodgers. There are two Richard Rodgerses, it should be noted: Lorenz Hart's fellow Columbian, who wrote witty and lyrical melodies to Hart's lyrical and witty words, and the sometimes pretentious collaborator of Oscar Hammerstein II, given to repeating himself in a *mode mineur*. Rodgers & Hart gave us three splendid musical comedies—*On Your Toes* and *The Boys from Syracuse* (both wonderfully recreated by Goddard Lieberson for Columbia Records in the 1950s) and *Pal Joey*, which revolutionized musical-comedy scripts. *Syracuse* has been reissued on CD (Sony Broadway SK 53329) but we must wait hopefully for a reissue of *On Your Toes*. Each has some of the best words and music produced by Rodgers and Hart, and the re-creation features the moving singing of Portia Nelson. A *Rodgers & Hammerstein Songbook* collates some of that team's biggest hits, all taken from Lieberson productions. Nelson Eddy is all over *Oklahoma*, and there are excerpts from *The King and I*, *The Sound of Music*, etc. (Sony Broadway SK 53331). For lovers of *Oklahoma*, there is a CD of the Lieberson re-creation—the most complete recorded version (Sony Broadway 53326).

The musical comedy is, along with jazz, America's major contribution to music and the stage, and perhaps

some day Tin Pan Alley—which produced George Gershwin—will be admitted to the pantheon. But there is a kind of in-between world south of the border in which popular classics, reflecting a mixed culture, thrive. Plácido Domingo, when he leaves the opera house, has tried to make a home in this world, but he is not quite as successful as other operatic talents of the past; Carlos Ramirez and Tito Schipa come to mind. In *Entre Dos Mundos*, however, he does tug at the heart-strings and ring all the nostalgic changes by bringing together such Hispanic songs as "Un Viejo Amor," "Maria La O," and "Adios, Mariquita Linda," which the incomparable Carlos Gardel brought to Argentina (Sony SMK 48479).

For a jazz kick, I highly recommend *Lionel Hampton: Tempo and Swing*, a showcase for a remarkable vibraphonist and pianist, bringing together excellent sidemen of the swing era, some forgotten today, such as the alto Toots Mondello, tenor sax Ben Webster, trumpet Benny Carter, clarinet Edmond Hall, Nat "King" Cole on jazz piano, guitar Teddy Bunn, and others.

For the most part Hampton sticks to the jazz standard—"I Can't Get Started," "Four or Five Times," "Save It, Pretty Mama"—plus a number of Hampton compositions (BMG Bluebird 66039-2).

Better Boot That Thing: Great Women Blues Singers of the 1920s brings together four blues singers, brought into the studio by the success of the genre. Alberta Hunter and Victoria Spivey came from the urban nightclub/vaudeville world. Bessie Tucker and Ida May Mack were "raw" and rural—moving up from the roots of the blues. Neither of the four match Bessie Smith or "Ma" Rainey, but they are genuinely in the blues tradition and tell us much about the nature of the jazz that drew so heavily from the vocalisms of the blues (BMG Bluebird 66065-2).

The life of Lonnie Johnson, a very fine blues singer as well as a guitarist of note, parallels that of jazz. Born into a musical family in the New Orleans of 1889, he went through the jazz apprenticeship of the Storyville bagnios, played with the early and



Mr. Toledano is an NR contributing editor and author of a forthcoming autobiography.

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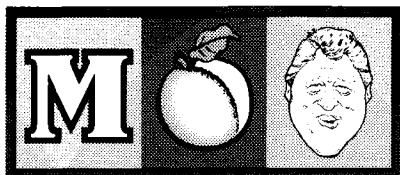


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Miscellaneous

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TOLEDANO

(Continued from page 63)

later Louis Armstrong, and even recorded with Duke Ellington. The blues he sang, accompanied by his guitar, derived more from Harlem than from the South. *Lonnie Johnson: He's a Jelly Roll Baker* features his repertory of the early 1940s, though he continued to perform until his death at age 81 (BMG Bluebird 66064-2).

■ For the musical trivialist: What overture served for three operas? And what opera had four different overtures? The first two correct answers, sent to me at NATIONAL REVIEW, get a classical CD. □

BOOKS IN BRIEF

Kindly Inquisitors: The New Attacks on Free Thought, by Jonathan Rauch (Chicago, 178 pp., \$17.95)

THE RECENT attempt at thought control at the University of Pennsylvania highlights the acute importance of Mr. Rauch's new book. Rauch asks the intriguing question: How does our society sort truth from falsehood? "Checking each

by each through public criticism is the only legitimate way to decide who is right," he writes. Public critical discourse produces knowledge while at the same time peacefully managing conflicts of beliefs. Knowledge production encompasses everything from physics to journalism and rests on two core principles: "No one gets the final say," and "No one has personal authority." Nowadays, public truthseeking is under fierce attack. Egalitarians argue that no set of beliefs should be more privileged than any other—producing the fights over so-called "creation science" and "Afrocentric history." Humanitarians insist that hurtful language should be forbidden on the paradoxical grounds that it inhibits *truly* free speech—producing university speech codes like that at Penn. And fundamentalists demand that the heterodox be silenced—as in the infamous case of Salman Rushdie and his Iranian critics. "The new sensitivity is the old authoritarianism in disguise, and it is just as noxious," concludes Rauch. *Kindly Inquisitors* is a brilliant counterattack in the war against free speech.

—RONALD BAILEY

To Make a Nation: The Rediscovery of American Federalism, by Samuel H. Beer (Belknap, 392 pp., \$29.95)

SAMUEL BEER, one of the giants of Harvard's Government Department in the modern era, now retired, has written a challenging study of American federalism and the historical and philosophical origins of the Founders' conception of it. Reaching back to the English Commonwealth of the seventeenth century and to other sources in English law, religion, and philosophy, he offers a new interpretation of Madison's and Hamilton's "national theory" of the American government. In Beer's view, they saw in federalism a unique answer to the needs of national unity and the safeguarding of individual liberty. The challenge in Beer's thesis is his explicit argument that the notion of an original "compact among the states," widely held by modern conservatives as the sole source of national legitimacy, does not reflect the dominant view among the Founders. Beer's is a masterly and erudite contribution to the debate, which, he acknowledges, will undoubtedly continue.

—PETER RODMAN

Trust Your Mother but Cut the Cards, by Sidney Zion (Barricade, 312 pp., \$15.95)

THE BEST pieces in this collection, mostly of newspaper columns but including two items from *NR*, vividly evoke the old New York saloon life, when Broadway produced tunes you could whistle, a guy could call a woman columnist a "right broad" without getting slapped, and people took the reigning pieties with a grain of salt and a shot of bourbon. In Sidney Zion's New York, writers, composers, businessmen, and reporters are regular guys who understand that above all else, a man wants his dinner and his woman. They spend their nights, and often their days, in bars with their friends and mistresses. Zion reminds us that, not too long ago, normal people with normal (if sometimes raffish) lifestyles lived in Gotham. One word of caution: The essays on political subjects tend to drift into a simplistic liberalism of the kind that gives college newspapers a bad name. No matter. Buy the book, and skip the parts Tony Lewis could have written.

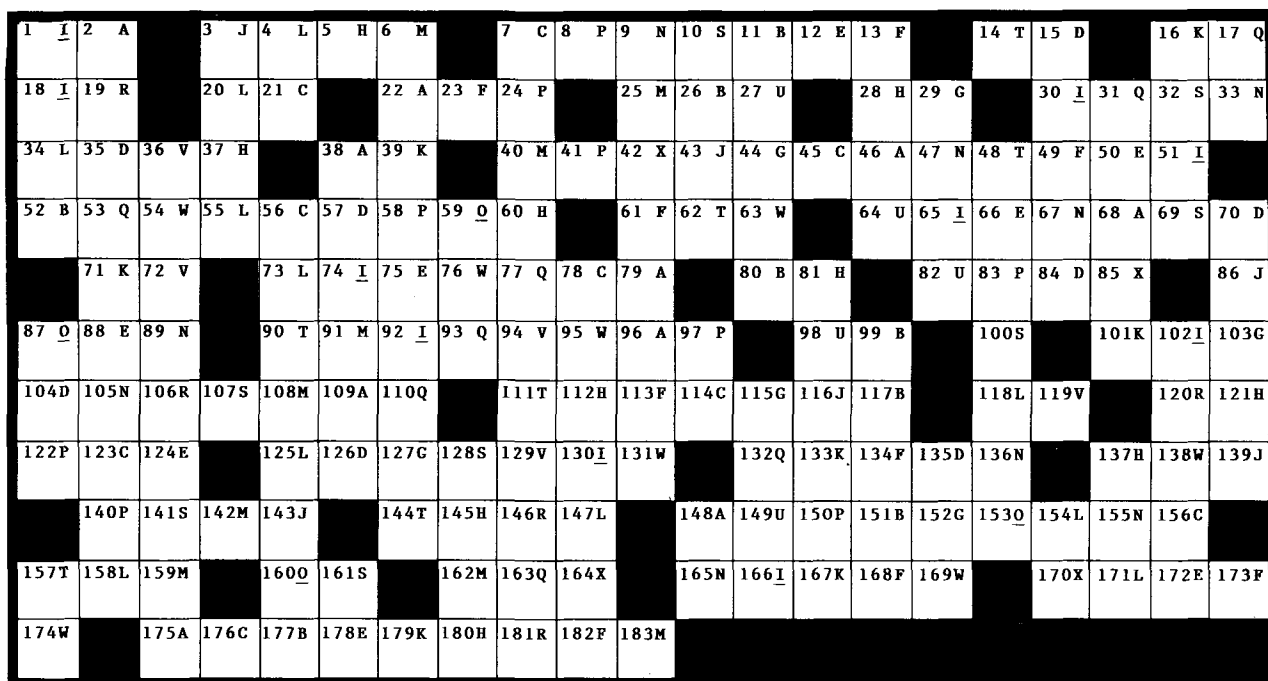
—RICHARD SAMUELSON

The Road to Wellville, by T. Coraghessan Boyle (Viking, 476 pp., \$22.50)

AMERICAN fiction writers of the hipper stripe have for some while now been mistaking an ironic posture for an all-encompassing *Weltanschauung*. The end result is almost always the same—work that is too clever for its own good, and too meager for ours. T. Coraghessan Boyle is a clever chap who takes a Menckonian joy in robust and sometimes baroque language, and he is quite a deft spinner of tales. This novel, his fourth, is constructed around the life of J. H. Kellogg, breakfast-food magnate, inventor, and founder of the Battle Creek Sanitarium, where the well-heeled came near the turn of the century to discover the benefits of Nuttolene and the evils of porterhouse steak. Boyle skillfully interweaves a number of narrative threads, and the story of the twentieth century's original health nuts might speak to us about our own times. But the irony is unrelenting and ultimately wears thin; in the end one cannot help wondering: Where's the beef?

—M. D. CARNEGIE

TRANS-O-GRAM/ Kem Putney



DEFINITIONS

- | | | | |
|-----------------------------------|------------------------------------|---------------------------------|--------------------------------|
| A. Spies' ports in the storm | 148 38 2 46 22 109 68 175 96 79 | M. On the surface | 162 40 108 25 91 142 159 6 183 |
| B. Textile art form | 80 26 52 117 151 11 177 99 | N. Awards | 155 105 136 67 165 9 33 89 47 |
| C. Given to peculiar habits | 156 123 45 176 21 114 78 56 7 | O. Queenly name | 153 160 59 87 |
| D. Disappeared | 84 126 135 35 15 104 70 57 | P. Jawbones | 140 83 41 97 122 150 8 58 24 |
| E. Full of joy | 88 50 75 124 12 172 178 66 | Q. For the miner, it's an adit | 31 163 93 53 77 110 132 17 |
| F. Negated | 13 134 182 113 61 49 23 168 173 | R. Yards | 19 146 120 106 181 |
| G. Alternative to brick or siding | 103 152 115 127 44 29 | S. Stop signs, e.g. | 141 32 128 100 107 161 10 69 |
| H. Considerate | 60 121 81 112 37 145 28 137 180 5 | T. Strategies, on a small scale | 144 157 111 62 14 90 48 |
| I. Pertinent | 166 92 74 51 1 130 102 30 18 65 | U. Better half's opposite | 82 149 98 64 27 |
| J. Caoutchouc | 139 43 86 3 143 116 | V. Boredom | 72 119 36 94 129 |
| K. Practical ability | 167 39 179 16 71 133 101 | W. Take another look at | 95 76 138 131 174 54 169 63 |
| L. Convention highlights | 154 171 34 118 158 73 125 4 20 147 | X. Ovine equivalent of cows | 164 170 85 42 |

55

DIRECTIONS

The object of TRANS-O-GRAM is to fill in the puzzle diagram by guessing the words from their definitions, and transferring each letter of the guessed word to the correspondingly numbered square in the diagram. When the diagram is filled in it will spell out a quotation from some published work (reading normally from left to right, black boxes indicating the ends of words); also, when the words have all been filled in above, their initial letters will spell out the author and title of the quoted work. The acrostic feature, and the relative word-lengths in the diagram, will assist in the solution. Spelling and definitions on the authority of *Webster's Deluxe Unabridged Dictionary*, Second Edition.

Solution to Last Issue's Trans-O-Gram. [JAMES] MCCARTNEY: *Right All Along*: "President Clinton . . . is virtually proving that George Bush was right in last year's election campaign when Bush asserted that electing Clinton would be asking an inexperienced amateur to deal with a hard, cruel world."

For Vol. II of the puzzle collection, send \$5.95 (plus \$1 S&H) to: T-Gram Plus, 3279 Lake Powell, Williamsburg, Virginia 23185.

Senator Goldwater And the Gays

NEW YORK, JUNE 11

Senator Barry Goldwater has written an op-ed for the *Washington Post* the heading of which is, "The Gay Ban: Just Plain Un-American." One pauses to note that gay bans may be un-American in the sense that slavery was un-American, but "just plain" is not the way to talk about a ban on a practice (sodomy) which until recently was outlawed by 47 states. If the ban were that plainly un-American, one wouldn't suppose that a consensus that strong in favor of it would so widely prevail. It required, after all, a civil war to drive the point home that that which was permitted by the Constitution was, on second thought, un-American.

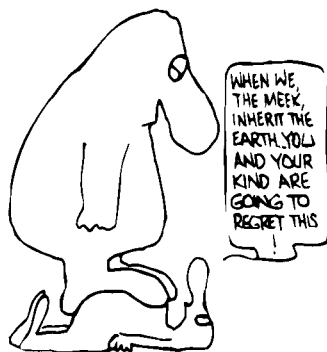
Where Mr. Goldwater errs, in our judgment, is in his (characteristic) full-speed-ahead approach. He writes, "The military didn't want blacks in integrated units, or women, and now it doesn't want gays. Well, a soldier may not like every order, or every member of his or her unit, but a good soldier will always follow orders—and, in time, respect those who get the job done. What would undermine our readiness would be a compromise policy like, 'Don't ask, don't tell.' That compromise doesn't deal with the issue—it tries to hide it."

There are problems with such a summary. One of them is that women are not now in truly "integrated units" for very obvious reasons, and the arguments thoughtful military men are making are that gays cannot be "fully integrated" in the military unless they agree to act as, substantially, they have acted over the years, acquiescing in the proposition that the military is governed by an ethos that is emphatically heterosexual.

Senator Goldwater makes a major mistake, surely, in turning his back so fiercely on a compromise that appears to have the backing of President Clinton, of Senator Nunn, and of Congressman Barney Frank, a gay militant. That compromise says this: That in the future, re-

cruiting officials will not ask the volunteer, Are you gay? In return, the gay volunteer will not practice his/her sexual inclinations or ostentatiously suggest what these inclinations are, in the company of fellow soldiers. This is not a deprivation of rights, it is an acknowledgment of others' solidarity around a binding set of mores. The self-denial is tolerable. It is the equivalent of a republican who wishes to serve in Her Majesty's Coldstream Guards quietly promising himself he won't let on that he thinks the Queen should be ditched at St. Helena. To those who object that such a sacrifice involves the suppression of basic biological urges, not mere political affinities, the appropriate answer is: That is how it has been for ever so long, and life cannot have been so oppressive, given that gays continue to enlist in the military and to serve with distinction and—one must suppose, and hope—serve happily.

The reason Senator Goldwater's approach is unfortunate is that it invites polarization. When a respected voice from the Right enters the controversy with the blast that nothing less than a total reversal of policy would be "American," then the arguments for the status quo ante are revived, and even strengthened. Those who believe (and it is of course often true) that the dominant concern is the slippery slope—give them an inch and they'll take a mile—will see the renewed debate as confrontational, winner take all. Intelligent conservatives cannot believe that for all the infelicity the blight of homosexuality brings, one should add to it systematic oppression of the kind associated with flashlights



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under the bed, binoculars watching from the apartment house opposite.

The heterosexual community would flatly resist, and quite properly so, any demand for a *modus vivendi* the implications of which are that the difference between the two lifestyles is on the order of the difference between people who like Pepsi Cola and those who like Coca-Cola. The essential loyalties of the heterosexual community should not be challenged, nor need they be in order to generate the contract reasonable gays want, namely to be left alone. □

What Is the NEA All About?

NEW YORK, JUNE 23

Early in my years as a publisher we retained a bookkeeper memorable in many ways, not least for the hats she always wore, which tripled the circumference of her septuagenarian face. Her lovely little vanity was to meet the weekly payroll with brand-new one-dollar bills, an exercise that did not require all that much dollar-shuffling, given the indigence of our little journal of opinion. A senior editor remarked, after about one year, that he really did not think Miss Fairclough had any idea what National Review Incorporated was engaged in producing; and as I reflected on what he said (he was also a tenured professor of political science at Yale), it occurred to me that it was probably true. If I had called in Miss Fairclough and told her that we were going to shift from the production of shoes into the production of mousetraps she'd have nodded her head, wondering only whether her leverage with the local bank teller who humored her every week with brand-new one-dollar bills might be stretched.

On reading the remarkable exposé in *Forbes* by Peter Brimelow and Leslie Spencer (it is called, "The National Extortion Association") one is entitled to wonder whether the people who run the National Education Association, which is the largest union in the United States, have ever spent as much as one hour contemplating what the National Education Association is engaged in. The word "education" pops instantly to mind, but the article by Mr. Brimelow and Miss Spencer goes on at some length on the subject of the maneuvers of the NEA management, and these have to do with teachers' wages, with opposition to any alternative to public education, and with left-wing politics. If the education of

American children were in fact the principal concern of the NEA, one would suggest as the only appropriate act of remorse, given the dismaying figures featured in the exposé, mass suicide.

Consider: In 1945, public-school spending per pupil was \$974 (all dollar-figures here given are in 1992 dollars). In 1992, spending per pupil had risen to \$5,216. Teachers' salaries in 1945 averaged \$14,770, and by 1992 had risen to \$35,334. How splendid! Five times as much spent on students, 2.5 times as much on teachers. The results? In 1950, SAT math scores were 493; in 1992, down to 476. In 1950, SAT verbal scores were 470; in 1992, 423. With results of that kind, one's reaction is, quite simply, instrumental. You fire the coach.

But of course this is out of the question. To begin with, there are tens of thousands of superb teachers in the field—but the NEA makes it difficult to single these out: because it is a principle of union solidarity that everyone is equal. The trouble with the search for quality is that if you discover it, at the same time you discover that which is not it. If Jones is terrific, that is because he/she is meeting standards Smith is not meeting, and there is hardly any point in the exercise unless you are prepared to do something about Smith, like urging him/her to take on an assignment for which he/she is fit, like becoming a union bureaucrat.

What the NEA of course fears most is what the polls show that 70 per cent of the American people want, which is an alternative to the public school. This is hardly blasphemy, spoken to public-school teachers. Twenty-two per cent of them send their own children to private schools. That over which they officiate is not that which they would visit on their own children.

The rise in the power of the NEA was, as one would imagine, a political event. FDR and President George Meany of the AFL-CIO considered the unionization of the public sector quite simply unthinkable, but giving the unions the right to go to work on the public sector was something President Kennedy thought appropriate to give to his country. The result is that while unionization of the private sector has gone down from 35 to 11 per cent in the past 35 years, the unionization of the public sector has risen from 12 to 37 per cent.

These new unions—the *Forbes* editors quote Rutgers economist Leo Troy—are fundamentally different from the "old" private-sector unions. "Their primary weapon is political, not economic, power." So that although 40 per cent of

the nation's teachers voted for Reagan, and for Bush in 1988, the massive power of the NEA bureaucracy moved in 1992 for the election of Clinton, who acknowledged their support exuberantly: "If I become President, you'll be my partners. I won't forget who brought me to the White House." The NEA bureaucracy can memorize those words and write them down, even if an increasing number of the students they preside over cannot, lacking as they do the capacity to read or write. □

Educating The Educators

NEW YORK, JUNE 14

There is a new organization in town, designed to focus on the delinquencies of higher education—an oppressive development that seems to hit the American people *pari passu* with the rise in the expenses of higher education (these expenses outpace the rise in medical costs). The American Academy for Liberal Education is headed by John Agresto, who is president of the Santa Fe branch of St. John's College.

St. John's is not for everybody, but for those for whom it is, it is exemplary. Four hundred students inhale deeply in true liberal learning. One student in the senior class this year vouchsafed us a little autobiographical note. Jeffrey Seidman left high school as the consummate young leftist: he organized a chapter of the youth section of the Democratic Socialists of America. At St. John's "I studied Plato and Aristotle [and] my life was transformed." Whazzat? "They brought to life questions—about beauty and eros, about man's place in the Cosmos, even about the meaning of 'being'—which I had never before entertained."

The moving spirits behind the American Academy are Jacques Barzun, a distinguished keeper of the tablets, and such eminent educators as Chester Finn, Shelby Steele, and Edward O. Wilson, to mention only a few. What does the American Academy want?

Demanding curricular requirements in the arts and sciences. High standards of teaching, including direct contact between senior faculty and students. Support for liberty of thought and freedom of expression. Emphasis on substantive learning as well as cognitive development. Mandatory core courses in the sciences, languages, literary classics, philosophy, history, politics, and economics. Evaluation of student learning. □

The American Academy rises in protest against the emptiness of much higher education, not least in our most prestigious institutions. *The National Review College Guide*, which lists "America's Top Liberal Arts Schools," does not list any of the Ivy League colleges. Why? Because "they do a poor job of teaching undergraduates"; because they have "eviscerated or abandoned their graduation requirements and academic standards"; and because in many cases they have "succumbed to attempts to impose an ideological orthodoxy on intellectual life."

In the case of Harvard, for instance, the *Guide* reproduces a sentence or two from the student-run *Harvard Course Guide*: "... the core is not designed to teach any select body of knowledge ... Thus after four years you will hopefully [ouch!] be able to flip a mental switch and think like a historian or an economist or a scientist and you better be able to, because the core won't give you a coherent picture about Western history, scientific advances, or philosophical thought."

A recent poll advises us that among Ivy League undergraduates, 44 per cent do not know that Thomas Foley is the Speaker of the House, 23 per cent do not know that the Supreme Court has nine Justices, 18 per cent could not name a single Justice, and 11 per cent do not know that Thomas Jefferson wrote the Declaration of Independence. Granted, neither Plato nor Aristotle knew the answers to the above. But minds trained by P&A would know these things. "We're participating in nationwide drifts toward lower standards," complains Lawrence Buell, dean of undergraduate education at Harvard. At Princeton, 80 per cent of undergraduates get A's and B's. At Stanford, only 8 per cent get C's and D's, and none get F's. "Appropriate distinctions among levels of student performance," writes Dean Buell, "can no longer be made."

"Harvard's defenders," writes the *Harvard Course Guide*, are quick to say that it does not matter that so much teaching is done by graduate students rather than schooled professors—"because at Harvard the students educate one another. They really don't have much choice ... Harvard seems to subscribe to an academic Trickle-down theory, under which all of the great wisdom and scholarship of its faculty will somehow make its way down to the undergraduates, with little or no effort on the college's part."

There is a lot to be done by the Academy for Liberal Education. □

(*Universal Press Syndicate*)

Spinsterhood Is Powerful

IT IS TYPICAL of America that having invented efficiency apartments, singles bars, Soup for One, and That *Cosmopolitan* Girl, we have dropped *spinster* from the language and consider *old maid* a sexist slur.

I make a point of using both. If I fill out a form that asks for my marital status I skip the printed selections, write in *spinster*, draw a block beside it, and check it. When an aluminum-siding telephone salesman asked to speak to the "man of the house," I said, "There isn't any, I'm an old maid," and derived enormous satisfaction from his audible gulp.

Spinsterhood was powerful long before feminism hit the fan. Point to any area of "sex discrimination" and you will find that old maids have always sailed through unscathed. Businessmen know all too well that the hand that rocks the cradle rocks the boat. Most married women with children are no use to anybody unless the stock exchange is hiring amok runners, but spinsters give females a good name. We come to work on time with no visions of babysitters and day-care centers dancing like rancid sugar plums in our heads; we can work overtime on a moment's notice, and there is never any spit-up on our paperwork.

Credit ratings? An old maid and a divorcee with three children to support are both "single," but the resemblance ends there. Instead of urging women to conceal their marital status under the muzzy blanket of "Ms.," feminists should have encouraged the inclusion of *spinster* on applications. It would have pulled up women's overall credit rating and eliminated the automatic discrimination against them caused by the bill-paying problems of liberated divorcees.

Remember the classic old-maid joke. Before going to bed she spent an hour locking the doors and windows of the house that she occupied alone. Sounds like a big house, doesn't it? She also hired lots of "hired men," and when she begged them to marry her she always reeled off a long list of her economic assets to sweeten the deal: the "feminization of poverty" was nowhere in evidence.

Auto insurance? Old maids look at the road, not at what Jason did to Debbie's dress. As for life insurance, take a peek at the tombstones in Old Maid Gardens:

Susan B. Anthony—1821–1906
Anna Dickinson—1842–1932
Elizabeth Blackwell—1821–1910
Clara Barton—1821–1912
Dorothea Dix—1802–1886
Elizabeth Peabody—1804–1894

A certain teacher and reformer little known today is the undisputed star of Old Maid Gardens. Here she is, that perennial unplucked flower of reform politics:

Emily Howland—1827–1929

By God, that's what you call a good set of bowels. Have you ever noticed that there are no old maids in laxative commercials? They beam the message that women are three times more likely to suffer constipation, yet the

sufferers portrayed are always matrons and their married daughters, who conclude that the problem comes from "doing so much for others"—an unconscious gem of truth-in-advertising hinting that marriage and motherhood are the ties that bind.

I WISH my fellow conservatives would tone down their plangent testimonials to the Great God Family. I also wish that feminists would try to harden women, as real feminists should, by preaching renunciation, instead of tearing them apart by simultaneously promoting masculine work and condemning masculine work habits, e.g., Adrienne Rich: "I want to make it clear that I am *not* saying that in order to write well, or think well, it is necessary to become unavailable to others, or to become a devouring ego. This has been the myth of the masculine artist and thinker; and I repeat, I do not accept it."

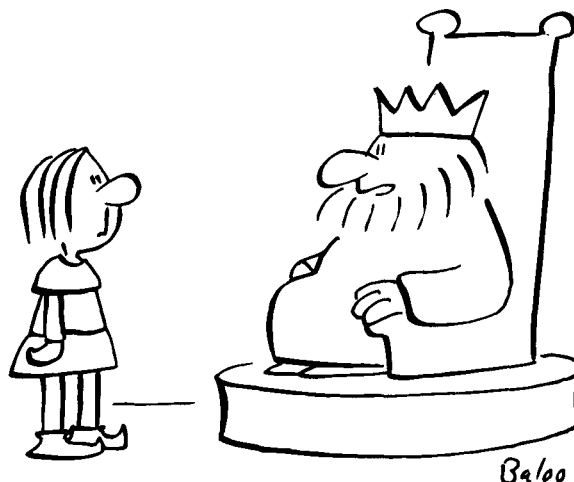
Bull, madam, bull. If you really reject it, why not say so simply and briefly, instead of dragging in defensive preambles and italics?

The "myth" of the masculine artist and thinker—or any worker—is not myth but fact. Its real name is *concentration*, and it is achieved by making oneself unavailable to others. He travels fastest who travels alone, and that goes double for she.

Mendacious pep talks such as Miss Rich's keep married women in a perpetual state of conflict and make them jealous of unencumbered women. The jealousy crops up in a phrase I hear regularly: "If I could do what you do . . ."

Write the same goddamn page twenty times? Write all day Christmas? Get halfway through a book only to realize that you started too late in dramatic time and the whole thing is turning into a flashback? Anybody who chose that moment to ask "When's dinner?" would get killed, ladies, and liberal Adrienne Rich knows it. She won't tell you; I just did.

Of all the benefits of spinsterhood, the greatest is *carte blanche*. Once a woman is called "that crazy old maid" she can get away with anything. —FLORENCE KING



"Tell them they can join fraternities—but I'll have to think about the liberty and equality."

Miss King's latest book is *With Charity Toward None*.



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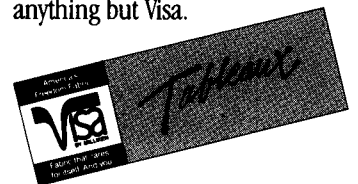
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- Colors stay bright, whites stay white
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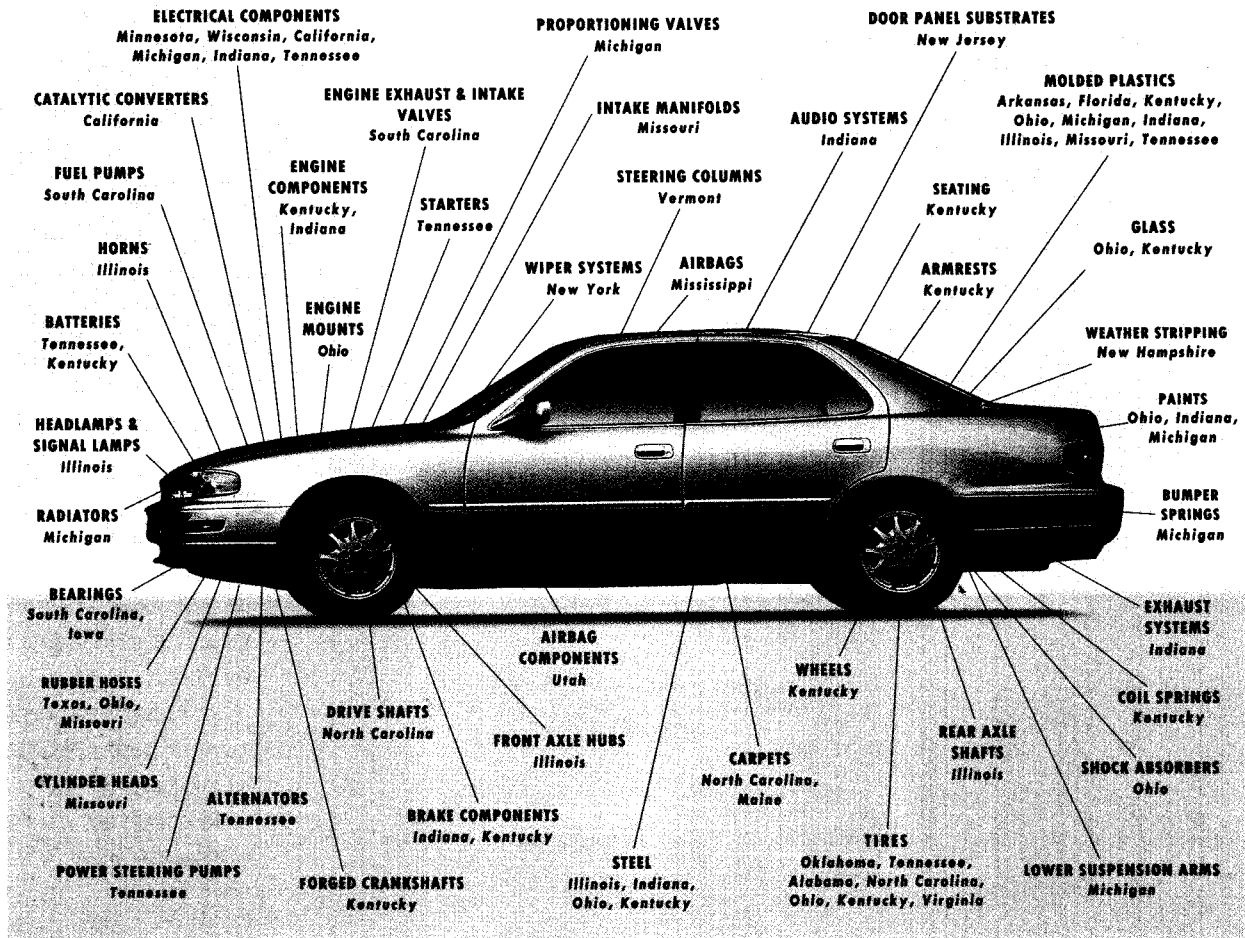
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no matter WHICH STATE THEY'RE FROM.

EVERY Camry manufactured at our \$2 billion Georgetown, Kentucky plant is made with U.S. parts purchased from 174 of our over 390 American suppliers. At Toyota we're committed to investing in the economies where we do business. That's why, since 1988, we've increased our purchasing of U.S. made parts by 357% to over \$4 billion per year. *INVESTING IN THE THINGS WE ALL CARE ABOUT.* **TOYOTA**

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